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## Title 6—AGRICULTURAL CREDIT

### Chapter III—Farmers Home Administration, Department of Agriculture

#### SUBCHAPTER B—FARM OWNERSHIP LOANS [FHA Instruction 443.3]

#### PART 333—PROCESSING SUBSEQUENT LOANS

#### Purposes and Conditions for Subsequent Farm Ownership Loans

Paragraph (c) in § 333.1 of Title 6, Code of Federal Regulations (6 CFR, 1958 Supp., 333.1(c); 21 F.R. 10447, 22 F.R. 465, 23 F.R. 161), is hereby revoked to clarify the application of paragraph (f) of that section, regarding the making of subsequent Farm Ownership loans for the same purposes and under the same conditions as an initial Farm Ownership loan.

(Secs. 41, 44, 50 Stat. 528, as amended, 530, as amended; 7 U.S.C. 1015, 1018; Order of Acting Sec. of Agr., 19 F.R. 74, 22 F.R. 8188)

Dated: January 21, 1960.

K. H. HANSEN,  
Administrator,  
Farmers Home Administration.

[F.R. Doc. 60-789; Filed, Jan. 26, 1960; 8:48 a.m.]

## Title 7—AGRICULTURE

### Subtitle A—Office of the Secretary of Agriculture

[Amdt. 7]

#### PART 5—DETERMINATION OF PARITY PRICE

#### Discontinuing Parity Price Computations for Pineapples and Rapeseed

The purpose of this amendment is to provide for the discontinuation of parity price computations for pineapples and rapeseed. The series of parity prices related to the pineapple crop produced in Florida, where production has declined

to the point that the Crop Reporting Board has discontinued estimates of production and price. Production and price estimates for rapeseed also are being discontinued. These changes will become effective as of January 1960.

In § 5.2 the paragraph under the centerhead "Deciduous and other fruit" is amended by deleting the word "pineapples".

In § 5.2 the paragraph under the centerhead "Seed Crops" is amended by deleting the word "rapeseed".

In § 5.4 the paragraph under the centerhead "Deciduous and other fruit" is amended by deleting the word "pineapples".

In § 5.4 the paragraph under the centerhead "Seed Crops" is amended by deleting the word "rapeseed".

Done at Washington, D.C., this 22d day of January 1960.

CLARENCE L. MILLER,  
Assistant Secretary.

[F.R. Doc. 60-810; Filed, Jan. 26, 1960; 8:53 a.m.]

### Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 180, Amdt. 1]

#### PART 914 — NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

##### Limitation of Handling

*Findings.* 1. Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended mar-

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keting agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges as hereinafter provided will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restrictions on the handling of navel oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b) (1) (i) of § 914.480 (Navel Orange Regulation 180, 25 F.R. 375) are hereby amended to read as follows:

(i) District 1: 750,000 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: January 22, 1960.

S. R. SMITH,  
Director, Fruit and Vegetable  
Division, Agricultural Marketing Service.

[F.R. Doc. 60-809; Filed, Jan. 26, 1960; 8:53 a.m.]

# Title 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket 6940 o.]

### PART 13—PROHIBITED TRADE PRACTICES

Ernest Mark High

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections*: 13.15–30 *Connections or arrangements with others*: 13.15–150 *Indorsement*; 13.15–265 *Service*; § 13.225 *Services*. Subpart—Claiming or using indorsements or testimonials falsely or misleadingly: § 13.330–3 *American Federation of Labor*; 13.330–54 *Labor unions*. Subpart—Coercing and intimidating: § 13.350 *Customers or prospective customers*. Subpart—Enforcing dealings or payments wrongfully: 13.1045 *Enforcing dealings or payments wrongfully*. Subpart—Securing orders by deception: § 13.2170 *Securing orders by deception*.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Ernest Mark High, New York, N.Y., Docket 6940, December 14, 1959]

This case was heard by a hearing examiner on the complaint of the Commission charging a New York City publisher of "The Spotlight", a newspaper sponsored by a single union in the New York City metropolitan area, with representing falsely in advertising that said newspaper was affiliated with, endorsed by, or an official publication of the American Federation of Labor or the AFL-CIO; that it was distributed or circulated nationally; that the advertisements inserted in it would be of benefit to the employer solicited; and that the money paid for advertisements was used for and benefited the labor movement and labor union members; and with placing unauthorized advertisements in "The Spotlight" and then seeking to exact payment from various concerns and employers named therein.

After the usual proceedings, the hearing examiner made his initial decision from which respondent appealed. Granting the appeal in part, the Commission directed modification of the initial decision and, on December 14, adopted the initial decision as so modified as the decision of the Commission.

The order to cease and desist as modified is as follows:

*It is ordered*, That respondent Ernest Mark High, an individual, his agents, representatives and employees, directly or through any corporate or other device, in connection with the soliciting for, offering for sale or sale of advertising space, in the publication designated "The Spotlight", whether published under that name or any other name, or in any other publication, in commerce, as "commerce" is defined in the Federal Trade Commission Act do forthwith cease and desist from:

1. Representing directly or by implication:

(a) That said publication is affiliated with, endorsed by, sponsored by, an official publication of, or otherwise connected with the American Federation of Labor, Congress of Industrial Organizations or the American Federation of Labor-Congress of Industrial Organizations, or any affiliate thereof other than the American Federation of State, County and Municipal Employees, and then only to the extent of its actual connection therewith.

(b) That said publication is distributed or circulated nationally, or in areas or localities where it is not in fact distributed or circulated.

2. Placing, printing or publishing any advertisement on behalf of any person, firm or corporation in said publication without a prior order or agreement to purchase said advertisement.

3. Sending bills, letters or notices to any person or firm with regard to an advertisement which has been or is to be, printed, inserted or published on behalf of said person or firm, or in any other manner seeking to exact payment for any such advertisement, without a bona fide order or agreement to purchase said advertisement.

By "Final Order", report of compliance was required as follows:

*It is further ordered*, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which he has complied with the order to cease and desist, as modified.

Issued: December 14, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F.R. Doc. 60-774; Filed, Jan. 26, 1960; 8:46 a.m.]

[Docket 7551 c.o.]

### PART 13—PROHIBITED TRADE PRACTICES

National Sales & Mfg. Co., Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections*: 13.15–265 *Service*; § 13.50 *Dealer or seller assistance*; § 13.60 *Earnings and profits*; § 13.115 *Jobs and employment*; § 13.143 *Opportunities*; § 13.195 *Safety*: 13.195–30 *Investment*; § 13.205 *Scientific or other relevant facts*; § 13.260 *Terms and conditions*. Subpart—Using misleading name—Vendor: § 13.2420 *Manufacturing nature*.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, National Sales & Mfg. Co., Inc., et al., Dallas, Tex., Docket 7551, December 12, 1959]

*In the Matter of National Sales & Mfg. Co., Inc., a Corporation, Donald W. Williams and Ellery R. Swim, Individually and as Officers of Said Corporation, and Thomas J. Overholser, Individually*

This proceeding was heard by a hearing examiner on the complaint of the Commission charging Dallas, Tex., sellers of vending machines and vending machine supplies with making in advertising and by their salesmen false advertising offers, exaggerated earnings claims, and other deceptions to sell their machines, including claims that money required of applicants was the working capital; that purchasers of machines earned from \$200 to \$386.40 per month; that they set up the business, secured profitable locations, installed vending machines, and supervised operation of the business; that they would repurchase machines after a year if the purchaser wished to sell; that they manufactured the machines they sold, etc.

After acceptance of an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on December 12 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered*, That respondent National Sales & Mfg. Co., Inc., a corporation, and its officers, and Donald W. Williams, individually and as an officer of said corporation, and Ellery R. Swim, individually and as a former officer of said corporation, and Thomas J. Overholser, individually and as a former employee of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of vending machines, vending machine supplies, or similar kinds of merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or indirectly, that:

(a) Employment is offered either generally or to selected persons.

(b) Respondents have established routes with vending machines on location for which they are offering employment to selected persons to service.

(c) Persons will be selected to operate and service vending machines owned by respondents.

(d) Persons must own automobiles or furnish references in order to purchase respondents' vending machines.

(e) The money invested is to provide working capital for the purchase of an inventory of merchandise to be dispensed in said vending machines.

(f) The money invested is secured by an inventory of merchandise worth the amount invested and there is no risk of losing said investment.

(g) Persons purchasing respondents' said vending machines will not be required to engage in selling or soliciting.

(h) The earnings or profits derived from the operation of respondents' said

vending machines will be of any greater sum or amount than that customarily earned by operators of said vending machines.

(i) Respondents will set up a vending machine business for purchasers of their vending machines, or that profitable or satisfactory vending machine locations will be secured, or that said vending machines purchased will be installed in profitable or satisfactory locations, or the vending machine routes of purchasers will be otherwise established; or that the routes will be supervised so as to assure their profitable or satisfactory operation.

(j) The sale of merchandise by respondents' vending machines is permanent or depression proof.

(k) The sale of merchandise by respondents' vending machines is the safest or surest business on earth; or that it is (1) free of risk or loss, 2) free of hazard of bad location, or (3) free from the payment of rent or taxes.

(l) The sale of merchandise by respondents' vending machines will show a substantial profit from the first day of their operation, or at or during any time, unless such is the fact.

(m) The sale of merchandise by respondents' vending machines is, or is equivalent to, economic or any other kind of insurance to the selected person against the hazards of old age, permanent or partial disability.

(n) An established route of respondents' machines is worth 25 to 33½ percent more than the sum invested, or worth any amount that is not in accordance with the facts.

(o) An exclusive territory is given a purchaser of said vending machines.

(p) The vending machines will be delivered to the purchaser within a designated time.

(q) The average sales per day per year per machine is a specified sum and that the machine empties a specified number of times when such is not the fact.

(r) The earnings on an investment of \$700 in respondents' vending machines with average locations will be approximately \$2,500.00 a year, or will be any amount that is not in accord with the facts.

(s) Respondents will repurchase the vending machines from purchasers desiring to dispose of same.

2. Using the word "manufacturing", or any other word or words of similar import or meaning, as a part, of respondents' corporate or trade name; or otherwise representing, directly or by implication, that respondents, or any of them, manufacture the merchandise sold by them.

By "Decision of the Commission", etc., report of compliance was required as follows:

*It is ordered*, That respondent National Sales & Mfg. Co., Inc., a corporation, and its officers, and Donald W. Williams, individually and as an officer of said corporation, and Ellery R. Swim, individually and as a former officer of said corporation, and Thomas J. Over-

holser, individually and as a former employee of said corporation shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: December 11, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F.R. Doc. 60-775; Filed, Jan. 26, 1960;  
8:46 a.m.]

[Docket 7184 c.]

### PART 13—PROHIBITED TRADE PRACTICES

#### Associated Dry Goods Corporation et al.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices*: § 13.155-15 *Comparative*. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-45 *Fur Products Labeling Act*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-30 *Fur Products Labeling Act*; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-30 *Fur Products Labeling Act*. Subpart—Misrepresenting oneself and goods—Prices: § 13.1785 *Comparative*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*: 13.1845-30 *Fur Products Labeling Act*; § 13.1865 *Manufacture or preparation*: 13.1865-40 *Fur Products Labeling Act*; § 13.1886 *Quality, grade or type*.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Associated Dry Goods Corporation (New York, N.Y.) et al., Docket 7184, Dec. 14, 1959]

*In the Matter of Associated Dry Goods Corporation, a Corporation, and Rene P. Sommer, Individually and as an Employee of Said Corporation*

This case was heard by a hearing examiner on the complaint of the Commission charging a nation-wide merchandiser with main office in New York City with violating the Fur Products Labeling Act by falsely identifying animals producing certain furs and by failing in other respects to conform to labeling and invoicing requirements; by advertising in newspapers which failed to disclose the names of animals producing certain furs or the fact that fur products contained artificially colored furs and represented prices as reduced from higher prices without giving the time of such compared prices.

After the usual proceedings, the hearing examiner made his initial decision and order to cease and desist from which both counsel filed cross-appeals. The Commission having heard the matter, modified the initial decision, and on December 14 adopted the initial decision

as so modified as the decision of the Commission.

The substituted order to cease and desist is as follows:

*It is ordered*, That respondent Associated Dry Goods Corporation, a corporation, and its officers, and respondent Rene P. Sommer, as an individual and as an employee of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, offering for sale, transportation, or distribution in commerce of any fur product, or in connection with the sale, advertising, offering for sale, transportation, or distribution of any fur product which is made in whole or in part of fur which has been shipped or received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Falsely or deceptively labeling or otherwise identifying any such product as to the name or names of the animal or animals that produced the fur from which such products were manufactured.

2. Failing to affix labels to fur products showing all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

3. Setting forth on labels attached to fur products:

(a) Non-required information mingled with required information;

(b) Required information in handwriting;

(c) Required information in improper sequence.

4. Failing to set forth all of the required information on one side of the labels attached to such products.

B. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice, which is intended to aid, promote or assist, directly or indirectly, in the sale or offering for sale of fur products, and which:

1. Fails to disclose:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur product, as set forth in the Fur Products Name Guide and as prescribed under the Rules and Regulations.

(b) That the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is a fact.

2. Compares the prices of fur products with other prices without giving the time at which such other prices were in effect.

*It is further ordered*, That Paragraphs Six and Seven of the complaint be, and they hereby are, dismissed.

By "Final Order", report of compliance was required as follows:

*It is further ordered*, That, the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner

and form in which they have complied with the order to cease and desist.

Issued: December 14, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F.R. Doc. 60-776; Filed, Jan. 26, 1960;  
8:46 a.m.]

## Title 26—INTERNAL REVENUE, 1954

### Chapter I—Internal Revenue Service, Department of the Treasury

#### SUBCHAPTER A—INCOME TAX

[T.D. 6448]

### PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

#### Itemized Deductions for Individuals and Corporations

On September 24, 1959, notice of proposed rule making regarding the amendment of the Income Tax Regulations under section 162 to conform to section 5 of the Technical Amendments Act of 1958 (72 Stat. 1608) was published in the FEDERAL REGISTER (24 F.R.7956). No requests for a public hearing were received. After consideration of all such relevant matter as was presented by interested persons during the 30-day period prescribed in the notice regarding the rules proposed, the regulations as so published are hereby adopted.

This Treasury decision is issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] DANA LATHAM,  
Commissioner of Internal Revenue.

Approved: January 21, 1960.

FRED C. SCRIBNER, Jr.,  
Acting Secretary of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) to section 5 of the Technical Amendments Act of 1958 (72 Stat. 1608), such regulations are amended as follows:

PARAGRAPH 1. Section 1.162 is amended:

(A) By redesignating section 162(c) as section 162(d) and adding after section 162(b) the following new subsection:

(c) *Improper payments to officials or employees of foreign countries.* No deduction shall be allowed under subsection (a) for any expenses paid or incurred if the payment thereof is made, directly or indirectly, to an official or employee of a foreign country, and if the making of the payment would be unlawful under the laws of the United States if such laws were applicable to such payment and to such official or employee.

(B) By adding the following historical note after section 162:

[Sec. 162 as amended by sec. 5, Technical Amendments Act 1958 (72 Stat. 1608)]

PAR. 2. There is inserted immediately after § 1.162-17 the following new section:

### § 1.162-18 Improper payments to officials or employees of foreign countries.

(a) *In general.* No deduction shall be allowed under section 162(a) for any expenses paid or incurred after September 2, 1958—

(1) If the payment of the expenses is made, whether directly or indirectly, to an official or employee of a foreign country, and

(2) If the making of the payment would be unlawful under the laws of the United States (if such laws were applicable to the payment and to the official or employee at the time the expenses were paid or incurred). Lawfulness or unlawfulness of the payment under the laws of the foreign country is immaterial. Similarly, the place where the expenses are paid or incurred is immaterial. No deduction shall be allowed for an accrued expense, if the eventual payment thereof would fall within the prohibition of this section.

(b) *Indirect payment.* For purposes of this section, an indirect payment to an individual shall include any payment which inures to his benefit or is promotional of his interests, regardless of the medium in which the payment is made and regardless of the identity of the immediate recipient. Thus, payment made to an agent or even directly into the general treasury of the country of which the beneficiary is an official or employee may be treated as an indirect payment to the official or employee, if in fact such payment inures or will inure to his benefit or is or will be promotional of his interests.

(c) *Official or employee; foreign country.* Any individual officially connected with the government of a foreign country, in whatever capacity, whether on a permanent or temporary basis and whether or not serving for compensation, shall be included within the terms "official or employee", regardless of the place of residence or post of duty of such individual. An independent contractor would not ordinarily be considered to be an official or employee. For purposes of this section, the term "foreign country" shall include any foreign nation, or political subdivision thereof, or any corporation or other entity serving as an instrumentality of such foreign country. Whether such nation has been accorded diplomatic recognition by the United States shall not be taken into account. Any individual or individuals who purport to be a government of a foreign nation shall be treated under this section as a foreign country, whether or not such individual or group of individuals in fact controls such foreign nation, and whether or not such individual or group is accorded diplomatic recognition. Accordingly, a group in rebellion against an established government shall be treated as a foreign country as shall the government against which the group is in rebellion.

(d) *Laws of the United States.* The term "laws of the United States", to which reference is made in paragraph (a) of this section, shall be deemed to include only Federal statutes, and legislative and interpretative regulations

thereunder. The term shall also be limited to statutes which prohibit some act or acts, for the violation of which there is a civil or criminal penalty. A deduction shall not be disallowed under section 162(c) and this section for a payment which contravenes a governmentally declared public policy of the United States, unless payment would be in violation of the laws of the United States, if such laws were applicable. However, a deduction may be disallowed because its allowance would frustrate such governmentally declared policy without regard to section 162(c) or this section.

[F.R. Doc. 60-792; Filed, Jan. 26, 1960;  
8:49 a.m.]

## Title 31—MONEY AND FINANCE: TREASURY

### Subtitle A—Office of the Secretary of the Treasury

#### PART 3—CLAIMS REGULATIONS

### Subpart F—Claims Arising Outside the United States

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AUTHORITY: §§ 3.81 to 3.101 issued under 10 U.S.C. 2734, as amended.

#### § 3.81 Purpose.

The purpose of this subpart is to promote and maintain friendly relations by the prompt settlement of meritorious claims.

#### § 3.82 Definitions.

As used in this part, the following terms will have the meanings here indicated:

(a) *Settle.* Consider, ascertain, adjust, determine, and dispose of a claim, whether by full or partial allowance or by disallowance.

(b) *Military personnel.* Forces or individual members of the Coast Guard.

(c) *Civilian employees.* Civilian employees of the Coast Guard, volunteer workers, and others serving as employees of the Coast Guard without compensation.

(d) *Noncombat activities.* Authorized activities which are primarily Coast Guard activities having little parallel in civilian pursuits or which historically have been considered as furnishing a proper basis for paying claims such as

maneuvers, special exercises, practice firing of guns, operation of aircraft, use of instrumentalities having latent mechanical defects not traceable to negligent acts or omissions, explosions, movement of vehicles designed especially for military use, and use and occupancy of real estate.

(e) *Maritime claims.* Claims caused by Coast Guard vessels or by members of Coast Guard crews in the operation of such vessels.

### § 3.83 Scope.

This subpart prescribes the substantive basis for the settlement under Section 2734 of Title 10, United States Code, as amended to include the Coast Guard (Pub. Law 86-223), of claims against the United States by inhabitants of a foreign country for death or personal injury, or damage to or loss or destruction of public or private property, arising on or after September 1, 1959, outside the United States, its Territories, commonwealths or possessions, if caused by a military member or civilian employee of the Coast Guard or is otherwise incident to noncombat activities of the Coast Guard.

### § 3.84 Claims payable.

Unless otherwise prescribed, claims for death, personal injury, or damage to or loss of property, real or personal, may be settled under this subpart as follows:

(a) *Death.* Only one claim arises for all beneficiaries. The amount allowed will, to the extent found practicable, be apportioned among the beneficiaries as prescribed by the law or custom of the place where the incident resulting in the death occurred.

(b) *Property.* Included in the property for damage to which claims may be settled under this subpart are real property used and occupied under lease, express or implied, or otherwise, and personal property loaned, rented, or otherwise bailed to the Government under an agreement, express or implied, unless the owner has expressly assumed the risk of damage or loss. Claims enforceable under a lease or other contract may be settled under this subpart, or under contractual procedures, as deemed in the best interest of the Government. Claims for rent, as such, may not be settled under these regulations, but allowance may be made for the use or occupancy of property arising out of trespass or other tort, even though claimed as rent.

### § 3.85 Claims not payable.

No claim will be settled under this subpart if it:

(a) Results from combat activities; or  
 (b) Any portion of the claim falls under any workmen's compensation law or regulations, whether Federal Employees Compensation Act of September 7, 1916 (39 Stat. 742), as amended (5 U.S.C. 751, et seq.), Longshoremen's and Harborworkers Compensation Act (44 Stat. 1424), as amended (33 U.S.C. 901), or local law or custom, except when specifically authorized by the Chief Counsel, U.S. Coast Guard;

(c) Is waived or assumed by a foreign country under treaty or agreement, or

is one for the settlement of which a foreign country is responsible under Article VIII of the Agreement Regarding the Status of Forces of Parties to the North Atlantic Treaty, Article XVIII of the Japanese Administrative Agreement, or other similar treaty or agreement;

(d) Is purely contractual in character;

(e) Arises from private domestic obligations;

(f) Is based solely on compassionate grounds;

(g) Is a bastardy claim;

(h) Is for patent infringement.

### § 3.86 Claims under other laws and regulations.

Claims otherwise under the Coast Guard Claims Act (14 U.S.C. 645), claims for loss or damage to personal property incident to service, and claims under Art. 139, UCMJ, will not be settled under this subpart. Maritime claims may be settled under these regulations only if specifically authorized by the Chief Counsel, U.S. Coast Guard, in each case. Authority to settle a maritime claim may be requested by letter containing a summary of the facts.

### § 3.87 Claims under treaties and agreements.

When a foreign government is responsible for dealing with claims against the United States under Article VIII of the Agreement Regarding the Status of Forces of Parties to the North Atlantic Treaty, Article XVIII of the Japanese Administrative Agreement, or other similar treaty or agreement, the cognizant Coast Guard command will, upon request, furnish foreign countries with a copy of the investigative report of the incident and all relevant evidence available.

### § 3.88 When claims must be presented.

A claim may not be considered under this subpart unless presented within one year after the occurrence of the incident out of which it arose, or filed within that year with a foreign government under Article VIII of the Agreement Regarding the Status of Forces of Parties to the North Atlantic Treaty, Article XVIII of the Japanese Administrative Agreement, or other similar treaty or agreement. If examination of a claim discloses that it was not seasonably presented, the claimant may be advised to that effect without further action being required. A claim otherwise within this subpart but not presented within one year will not be settled under other claims regulations.

### § 3.89 Claimants.

(a) *General.* As used in this subpart, an inhabitant of a foreign country is one who dwells or resides in the country; neither citizenship nor domicile is required. A corporation or other business association doing business in a foreign country is not necessarily excluded as a claimant because organized under United States law. A transient is not a proper claimant unless he is an inhabitant of another foreign country and an inhabitant of any part or subdivision of a foreign country is considered to be an inhabitant of the foreign country as to

any claim arising in that country or any part of it.

(b) *Claimants excluded.* The following are excluded as claimants:

(1) A national or an ally or a corporation controlled by a national or an ally of a country at war or engaged in armed conflict with the United States, or of any country allied with such enemy country, unless the foreign claims commission considering the claim or the appointing authority thereof shall determine that the claimant was, at the time of the incident, and is, friendly to the United States.

(2) Members and civilian employees of the Armed Forces of the United States and their dependents who are inhabitants of the United States and in a foreign country primarily because of their sponsor's or their own military orders.

(c) *Insurers and other subrogees.* An insurer or other subrogee may not present a claim in his own name under this subpart. A claim for the entire amount of damage or injury suffered will be presented by, and settlement made solely with, the insured, without regard to the insurance; not with the insurer or with both the insured and the insurer. This leaves undisturbed, as between the parties, the rights of the insured and of the insurer or another who has become subrogated to the rights of the owners of the property lost, damaged, or destroyed, or of the person who is injured or whose death results. This permits the Government to settle with a single claimant thus eliminating any need for determination of the relative rights of the parties concerned.

### § 3.90 Form of claim.

A claim may be presented orally but, before approval, must be presented in writing and signed by the claimant or his authorized agent or attorney. Written claims should be presented on the form furnished for the purpose or a similar form, but any written claim will be considered if it gives a reasonably definite indication of the time, place and nature of an accident or incident and an estimate or statement of the amount claimed. The amount claimed will be expressed in terms of the currency of the situs and, if allowed, will be paid in the currency of the country either in which the accident or incident occurred or in which the claimant was or is an inhabitant.

### § 3.91 Conditions of payment.

(a) The statutory test provided is that the damage, loss, injury or death must have been caused by military personnel or civilian employees of the Coast Guard or must otherwise have been incident to its noncombat activities. Acts or omissions which create a condition without which the accident or incident could not have occurred but which are not its proximate cause, will not constitute a proper basis for payment of a claim even though they violate the law of the situs or military regulations. A claim may be allowed under this subpart when the act or omission causing the injury or death, or damage to or loss or destruction of property, except for so-called "other noncombat activities" (par. 3d), was

negligent, wrongful, or otherwise involved fault and was caused by:

- (1) Military personnel;
- (2) Civilian employees who are citizens of the United States;
- (3) Civilian employees who are not citizens of the United States and were hired in one country for employment in another;
- (4) Civilian employees who are not citizens of the United States, other than those in subparagraph (3) of this paragraph, acting within the scope of their employment.

(b) Local law or custom pertaining to contributory or comparative negligence, and to joint tort-feasors, will be applied so far as practicable to determine proximate cause.

(c) Scope of employment will be determined by United States law.

### § 3.92 Determination of compensation.

Generally, in determining the proper elements and amount of damages, the law and customs of the situs will be applied, but interest, court costs, including attorney's fees, bail and the like, and punitive or moral damages, are not allowable. Items properly allowable in personal injury claims include actual and reasonable medical and hospital expenses, reasonable compensation for physical pain and suffering and disability, and loss of earning capacity, and, if death results, actual and reasonable burial expenses and compensation for loss of life. Property damage or loss is governed generally by the pertinent provisions of Title 31, CFR Part 3, Subpart A—General Provisions, Treasury Department Claims Regulations.

### § 3.93 Claims responsibility.

(a) Coast Guard commanders responsible for claims in areas outside the United States, its Territories and possessions, will supervise technical matters of Coast Guard foreign claims commissions under their respective commands. Supervision will insure prompt investigation of accidents or incidents and proper settlement or forwarding of claims, uniform practice and reporting procedures and the promotion of friendly relations with foreign countries. Direct correspondence with Commandant (CL) in claims matters is authorized.

(b) Claims cognizable under these regulations received by a command responsible for claims in the area in which the incident occurred, will be transmitted to a claims commission of that command or to Commandant (CL). Claims transmitted to a claims commission of the command will be accompanied by a copy of the investigative report required by the Coast Guard Supplement. Claims forwarded to Commandant (CL) need not be accompanied by an extra copy of the report, but should be accompanied by all additional evidence necessary for a proper settlement of the claim.

### § 3.94 Foreign claims commissions.

*General.* All claims under this subpart arising outside of the United States, its Territories and possessions, shall be settled by foreign claims commissions.

Commissions may be appointed to consider each claim as presented or to constitute a standing claims commission to consider all claims presented to it. A commander reporting directly to Headquarters who does not have authority to appoint foreign claims commissions will advise Commandant (CL), Coast Guard Headquarters, Washington 25, D.C. of the necessity, if any, in his command for any such commission.

### § 3.95 Appointment.

The Assistant Commandant, U.S. Coast Guard, the Chief Counsel, U.S. Coast Guard, Commanding Officers of specifically designated commands, and other officers designated by the Commandant are authorized to appoint Coast Guard claims commissions. One copy of each appointing order will be sent immediately to the Commandant (CL), Coast Guard Headquarters, Washington 25, D.C.

### § 3.96 Qualifications of members.

Each member of a foreign claims commission must be a commissioned officer of the Coast Guard of a rank commensurate with the claim being investigated. He should wherever practicable have legal training or investigative or other experience enabling him to analyze evidence, determine facts, and apply laws.

### § 3.97 Composition.

Commissions will be composed of one or three members. The senior officer of a commission of three members shall be the president; two members present shall constitute a quorum and any actions concurred in by two members shall be the action of the commission. The numerical composition of a claims commission rests within the sound discretion of the appointing authority.

### § 3.98 Monetary jurisdiction.

(a) *Claims not over \$15,000.* Unless specifically limited in the appointing order, a claims commission may settle claims not over \$15,000. Any allowance by a commission of an amount over \$2,500 but not over \$15,000 shall be subject to the approval of Commandant (CL) who may:

- (1) Approve the allowance in whole or in any specific lesser amount over \$2,500, which approval authorizes payment of the amount so approved; or,
- (2) Disapprove all of the allowance over \$2,500 and return the claim file, with necessary comment and recommendations, to the commission for its consideration and action.

(b) *Claims over \$15,000.* A claim over \$15,000 under this subpart will be considered by a claims commission which will forward to Commandant (CL) the claim and supporting papers. However, in lieu of the commission action, the commission will attach its findings of fact, opinions and recommendations with respect to the action to be taken by the Secretary of the Treasury upon the claim.

### § 3.99 Procedure.

(a) A foreign claims commission, upon receipt of a claim and supporting documents, will consider the claim and de-

termine how it should be processed for settlement. If the claim was not presented within one year, the claimant will be advised by the commission that the claim is barred. If necessary, the commission will conduct a further investigation. It may confer with the claimant to resolve or determine the facts and, if deemed in the best interest of the Government and permitted by the situation, conduct a hearing and take testimony. Claims under other laws, treaties, agreements or regulations will be returned promptly to the appointing authority. Payment of claims approved under this subpart will be made by sending the original of the completed claim form, commission settlement action and release, if obtainable in advance, as follows:

(1) *Claims not in excess of \$2,500.* To Comptroller, U.S. Coast Guard Headquarters, Washington 25, D.C., for issuance of a check to claimant. The Comptroller forwards the check to the commission for delivery to the claimant.

(2) *Claims in excess of \$2,500.* To Commandant (CL) for approval. Upon approval, the claim file is forwarded to the Comptroller for issuance of a check and transmittal to the commission.

(b) Upon delivery of the check to claimant, a signed receipt evidencing delivery thereof should be obtained from the claimant and retained in the commission claim file.

(c) One copy of the complete claim file will be forwarded to Commandant (CL) for record purposes.

### § 3.100 Action.

The action of a foreign claims commission will contain all the necessary facts and will also include a statement with calculations or reasoning when the amount allowed differs from the amount claimed, a statement of the applicable local law when the action depends upon peculiar local law and the basis for disallowance if the claim is disapproved. As many copies of the action form as may be necessary will be prepared and all copies will be signed.

(a) *Effect.* The settlement action of a commission upon claims within its jurisdiction is final and conclusive.

(b) *Notice.* The claimant will be notified by letter of the commission's settlement action and the reasons therefor if a claim within its cognizance is disapproved or if the amount approved is less than the amount claimed. Copies of the commission's action will not be furnished the claimant.

(c) *Reconsideration.* A commission may reconsider its settlement at any time before payment. When the commission is composed of different personnel than at the time of the original action, settlement may be considered only upon presentation of new and material evidence, or to correct fraud, collusion, errors in calculation or other mistakes. The action of a commission will state the reasons for reconsideration of the claim.

### § 3.101 Cross-servicing of claims.

Any claim cognizable under 10 U.S.C. 2734 whether arising from activities of

the Army, Navy, Air Force, or Marine Corps, may, upon request by the service concerned, be processed or settled by a Coast Guard Foreign Claims Commission, if practical, in accordance with these regulations. A claim cognizable under 10 U.S.C. 2734 arising from Coast Guard activities in a foreign country where another service has been assigned responsibility for its settlement will be sent to the appropriate claims office of that service for settlement.

Dated: December 7, 1959.

[SEAL] A. C. RICHMOND,  
Vice Admiral, U.S. Coast Guard,  
Commandant.

[F.R. Doc. 60-793; Filed, Jan. 26, 1960;  
8:49 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter I—Office of the Secretary of Defense

#### SUBCHAPTER N—TRANSPORTATION

### PART 208—TRANSPORTATION OF UNCRATED HOUSEHOLD GOODS OF MILITARY AND CIVILIAN PERSONNEL

#### Notice of Suspension of Part 208

The Secretary of Defense has suspended Part 208, published at 25 F.R. 211, January 12, 1960, until July 1, 1960.

MAURICE W. ROCHE,  
Administrative Secretary.

JANUARY 22, 1960.

[F.R. Doc. 60-794; Filed, Jan. 26, 1960;  
8:49 a.m.]

## Title 35—PANAMA CANAL

### Chapter I—Canal Zone Regulations

### PART 21—PUBLIC LANDS; MILITARY AND NAVAL RESERVATIONS

#### Curundu Army Reservation, Canal Zone

CROSS REFERENCE: For amendment to the tabulation in § 21.3, insofar as it relates to Curundu Army Reservation, See Canal Zone Order 53 in Appendix to this chapter, *infra*.

#### APPENDIX—CANAL ZONE ORDERS

[Order No. 53]

### FORT CLAYTON, COROZAL, AND CURUNDU ARMY RESERVATIONS, AND ALBROOK AIR FORCE BASE

#### Setting Apart of Reservations; Boundaries; Conditions and Limitations

By virtue of the authority vested in the President of the United States by section 5 of title 2 of the Canal Zone Code, as amended by section 1 of the Act of September 26, 1950, 64 Stat. 1038, and delegated to me by Executive Order No. 9746 of July 1, 1946 (11 F.R. 7329), as amended by Executive Order No. 10595 of February 7, 1955 (20 F.R. 819), and after consultation with the Secretary of the Air Force; Canal Zone Order

No. 29 of September 26, 1952 (17 F.R. 9036) as amended by Canal Zone Order No. 33 of April 16, 1954 (19 F.R. 2451) is further amended as follows:

1. That part of Canal Zone Order No. 29 describing Curundu Army Reservation is amended to read as follows:

#### Curundu Army Reservation

Beginning at monument No. 34, which is a 2½-inch iron pipe, located southeasterly from Albrook Air Force Gate No. 13, and 50 feet southwesterly from the centerline of the C-12 Road, the geodetic position of which is in latitude 8°59' N. plus 3350.6 feet and longitude 79°33' W. plus 2189.4 feet. Monument No. 34 is on the easterly boundary of Albrook Air Force Base (Parcel No. 2).

Thence from said initial point by metes and bounds:

S. 70°02'20" W., 70.1 feet, to monument No. 35 which is a 2½-inch iron pipe, located near the northeast corner of the Deer Park;  
S. 15°28'20" E., 127.4 feet, along the eastern fence line of the Deer Park, to monument No. 36, which is a 1½-inch iron pipe, located at the southeast corner of the Deer Park;

S. 45°43'50" W., 149.8 feet, along the southerly fence line of the Deer Park to monument No. 37, which is a 1½-inch iron pipe, located at the southwesterly corner of the Deer Park;

S. 39°15'30" E., 171.9 feet, to monument No. 38, which is a 1½-inch iron pipe;

S. 39°15'10" E., 111.9 feet, to monument No. 39, which is a 1½-inch iron pipe;

S. 39°15'30" E., 50.7 feet, to monument No. 40, which is a 1½-inch iron pipe;

S. 15°28'50" W., 739.4 feet, through monuments Nos. 41, 42, and 43, which are 1½-inch iron pipes, to monument No. 44, which is a 1½-inch iron pipe, the distances being 215.5 feet, 117.0 feet, 192.2 feet and 214.7 feet, successively from beginning of the course;

S. 15°28'40" W., 972.1 feet, through monument No. 45, which is a 1½-inch iron pipe, to monument No. 46, which is a 1½-inch iron pipe, the distances being 669.0 feet and 303.1 feet, successively, from beginning of the course;

S. 28°47'50" E., 1,149.0 feet, through monument No. 47, which is a 1½-inch iron pipe, to monument No. 48, which is a 1½-inch iron pipe, the distances being 692.4 feet and 456.6 feet, successively, from beginning of the course;

S. 24°35'30" E., 104.3 feet, to monument No. 49, which is a 1½-inch iron pipe;

S. 14°00'20" E., 350.3 feet, along the westerly side of an improved drain, through monument No. 50, which is a 1½-inch iron pipe, to monument No. 51, which is a 1½-inch iron pipe, the distances being 238.2 feet and 112.1 feet, successively, from beginning of the course;

S. 02°25'30" E., 303.4 feet, along the westerly side of the above mentioned improved drain, to monument No. 52, which is a 1½-inch iron pipe;

S. 21°38'00" E., 171.3 feet, along the westerly side of the above mentioned improved drain to monument No. 53, which is a 1½-inch iron pipe;

S. 34°12'30" E., 326.6 feet, along the westerly side of the above mentioned improved drain, to monument No. 54, which is a brass plug in a concrete road pavement;

S. 17°11'50" W., 451.3 feet, along the westerly side of the above mentioned improved drain, to monument No. 55, which is a 1½-inch iron pipe;

S. 68°17'30" W., 77.1 feet, along the northerly side of the above mentioned improved drain, to monument No. 56, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

S. 73°27'50" E., 148.1 feet, along the northerly side of an improved drain, to monument No. 57, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

N. 48°48'20" E., 67.3 feet, along the southeasterly side of an improved drain, to monument No. 58, which is a 1½-inch iron pipe;

N. 64°44'40" E., 444.5 feet, along the above mentioned improved drain, to monument No. 59, which is a 1½-inch iron pipe;

N. 80°37'20" E., 631.5 feet, along the above mentioned improved drain and its prolongation, to monument No. 60, which is a 2-inch iron pipe, located on the southerly side of an improved drain at its head;

N. 48°30'00" E., 342.4 feet, along the above mentioned improved drain, to monument No. 61, which is a 2-inch iron pipe;

N. 72°13'40" E., 145.4 feet, along the above mentioned improved drain, to monument No. 62, which is a 2-inch iron pipe, located at the intersection of two improved drains;

S. 06°52'50" W., 541.3 feet, along the easterly side of an improved drain, to monument No. 63, which is a 1½-inch iron pipe;

S. 09°14'30" W., 241.4 feet, along the easterly side of the above mentioned improved drain, to monument No. 64, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

N. 61°37'40" E., 262.2 feet, along the northwesterly side of an improved drain, to monument No. 65 which is a 1½-inch iron pipe, located at the intersection of two improved drains;

S. 68°53'50" E., 859.8 feet, along the northerly side of an improved drain to monument No. 66 which is a 1½-inch iron pipe;

S. 11°09'00" W., 247.5 feet, along the easterly side of the above mentioned improved drain to monument No. 67 which is a 1½-inch iron pipe;

S. 64°55'30" E., 47.7 feet, to monument No. 68, which is a brass plug in the westerly edge of the concrete pavement of the Curundu Road;

S. 20°49'00" W., 676.2 feet, to monument No. 69, which is a 2-inch iron pipe, located at the corner of a cyclone fence on the westerly side of Curundu Road;

Along the above mentioned cyclone fence, with the following courses, to monument No. 73:

S. 20°48'10" W., 587.0 feet, to monument No. 70, which is a 2-inch iron pipe;

S. 15°51'10" W., 1,319.8 feet, to monument No. 71, which is a 1½-inch iron pipe;

S. 19°23'30" W., 116.0 feet, to monument No. 72, which is a 2-inch iron pipe;

S. 26°28'20" W., 86.8 feet, to monument No. 73, which is a 1½-inch iron pipe, located at the corner of the above mentioned cyclone fence;

The above described boundary line from monument No. 34 to monument No. 73, inclusive, is common with the easterly boundary of Albrook Air Force Base (Parcel No. 2).

S. 34°53'50" E., 127.7 feet, crossing Curundu Road to monument "C", which is a brass plug set in the headwall of the old Rio Curundu concrete box culvert;

In a generally northeasterly direction, along the centerline of the Rio Curundu and the Canal Zone-Republic of Panama boundary, to an unmarked and unnumbered point, located 32 feet northeasterly from the centerline of the road to Bella Vista near Albrook Air Force Gate No. 12, the geodetic position of which is in latitude 8°58' N. plus 4057.3 feet and longitude 79°32' W. plus 3082.6 feet. The above mentioned unnumbered point is located at the southeast corner of Albrook Air Force Base (Parcel No. 4).

N. 34°52'20" W., 77.1 feet, along a line parallel to, and 32 feet northeasterly from the centerline of the road to Bella Vista, to monument No. 1, which is a 2-inch iron pipe set in concrete;

Westerly, along a line parallel to, and 32 feet northerly from the centerline of the road to Bella Vista, to monument "A", which is a brass plug set in a concrete monument, located 25 feet easterly from the centerline of Curundu Road, the geodetic posi-

tion of which is in latitude 8°58' N. plus 4,714.3 feet and longitude 79°32' W. plus 4,797.3 feet;

Northerly, along a line parallel to, and 25 feet easterly from the centerline of Curundu Road, to monument "B", which is a 2-inch iron pipe set in concrete, located 10 feet westerly from the centerline of a railroad, the geodetic position of which is in latitude 8°58' N. plus 5,263.5 feet and longitude 79°32' W. plus 4,845.0 feet;

Northerly along a line parallel to, and 10 feet westerly from the centerline of the above mentioned railroad, to monument "C", which is a 2-inch iron pipe set in concrete, located 25 feet westerly from the centerline of Warehouse Road, the geodetic position of which is in latitude 8°58' N. plus 5,920.2 feet and longitude 79°32' W. plus 4,577.6 feet;

N. 00°08'40" W., 322.6 feet, to monument "D", which is a 2-inch iron pipe set in concrete, located 25 feet westerly from the centerline of Warehouse Road;

N. 65°59'30" E., 1,390.5 feet, along a line 99 feet northerly of the Air Force Warehouse Building line, through monuments "E", "F", and "G", which are 2-inch iron pipes set in concrete, to monument "H", which is a 2-inch iron pipe set in concrete, the distances being 223.6 feet, 387.6 feet, 423.1 feet and 356.2 feet, successively, from beginning of the course;

N. 65°59'00" E., 141.0 feet, to monument "I", which is a 2-inch iron pipe set in concrete;

N. 65°59'30" E., 199.2 feet, to monument "J", which is a 2-inch iron pipe set in concrete;

N. 65°59'40" E., 140.7 feet, through monument "K", which is a 2-inch iron pipe set in concrete, located on the right bank of the Rio Curundu, to an unmarked and unnumbered point, located on the Canal Zone-Republic of Panama boundary, in the center of the Rio Curundu, the geodetic position of which is in latitude 8°59' N. plus 956.7 feet and longitude 79°32' W. plus 2,869.1 feet, the distances being 116.2 feet and 24.5 feet, successively, from beginning of the course;

The above described boundary line, from unnumbered point located in the centerline of the Rio Curundu near Gate No. 12, through monuments No. 1, and "A" to "K" inclusive, to unnumbered point described in the above paragraph, is common with the southerly, westerly and northerly boundary of Albrook Air Force Base (Parcel No. 4).

Northerly, along the centerline of the Rio Curundu, on the Canal Zone-Republic of Panama boundary, to an unmarked point called No. 72, the geodetic position of which is in latitude 8°59' N. plus 4,948.6 feet and longitude 79°32' W. plus 3,318.4 feet. Point No. 72 is located at the southeast corner of Albrook Air Force Base (Parcel No. 1).

Due West, 1,564.5 feet, through monuments Nos. 71 to 67 inclusive, which are 2-inch iron pipes, to monument No. 66, which is a 2-inch iron pipe, the distances being 32.0 feet, 364.4 feet, 370.7 feet, 387.9 feet, 354.1 feet and 55.4 feet, successively, from beginning of the course;

S. 87°37'40" W., 1,856.0 feet, through monuments Nos. 65 to 61 inclusive, which are 2-inch iron pipes, to monument No. 60, which is a brass plug in a concrete monument, being further identified as triangulation station "Cedro", the distances being 865.9 feet, 107.8 feet, 415.7 feet, 284.1 feet, 90.5 feet and 92.0 feet, successively, from beginning of the course;

S. 25°38'50" W., 681.5 feet, to monument No. 59, which is a 2-inch iron pipe;

S. 57°35'10" W., 378.5 feet, to monument No. 58, which is a 2-inch iron pipe;

S. 10°51'50" W., 645.2 feet, to monument No. 57, which is a 2-inch iron pipe;

S. 80°01'40" W., 558.9 feet, to monument No. 56, which is a 2-inch iron pipe, located

No. 18—2

50 feet northeasterly from the centerline of the C-12 Road;

N. 47°54'50" W., 153.9 feet, crossing the C-15 Road to monument No. 55, which is a 2-inch iron pipe, located 50 feet northeasterly from the centerline of the C-12 Road;

N. 15°30'20" E., 1,004.3 feet, along the westerly side of the C-15 Road, through monument No. 54, which is a 1½-inch iron pipe, to monument No. 53, which is a 1½-inch iron pipe, located 40 feet westerly from the centerline of the G-15 Road, the distances being 728.4 feet and 275.9 feet, successively, from beginning of the course;

N. 49°28'30" W., 835.5 feet, through monument No. 52, which is a 1½-inch iron pipe, the distances being 320.2 feet and 515.3 feet, successively, from beginning of the course;

N. 49°51'50" W., 103.0 feet, to monument No. 50, which is a 2-inch iron pipe;

N. 64°36'20" W., 1,184.6 feet, through monuments Nos. 49 and 48, which are 2-inch iron pipes, to monument No. 47, which is a 2-inch iron pipe, the distances being 551.0 feet, 565.8 feet and 67.8 feet, successively, from beginning of the course;

N. 37°28'00" W., 198.1 feet, to monument No. 46, which is a 1½-inch iron pipe;

S. 70°16'30" W., 389.5 feet, to monument No. 45, which is a 2-inch iron pipe;

N. 68°32'30" W., 115.5 feet, to monument No. 44, which is a 2-inch iron pipe, located 50 feet easterly from the centerline of the C-12 Road;

In a northwesterly direction, parallel to, and 50 feet from the centerline of the C-12 Road, to monument No. 43, which is a 1½-inch iron pipe, located 1.5 feet from the face of a cyclone fence around the Gasoline Storage Area, the geodetic position of which is in latitude 9°00' N. plus 1,483.6 feet and longitude 79°33' W. plus 4,740.7 feet;

S. 69°07'00" W., 20.4 feet, along the above mentioned cyclone fence, to monument No. 42, which is a 1½-inch iron pipe, located at the southeast corner of the Gasoline Storage Area on the prolongation of the cyclone fence bordering the C-12 Road;

Northwesterly, along the face of the above mentioned cyclone fence, and its prolongation, to monument No. 41, which is a 2-inch iron pipe, located at the southwest corner of the Gasoline Storage Area, the geodetic position of which is in latitude 9°00' N. plus 1,765.0 feet and longitude 79°33' W. plus 5,217.6 feet. Monument No. 41 is on the easterly boundary of Fort Clayton Army Reservation;

The above described boundary line from point No. 72 through monuments Nos. 71 to 41 inclusive, is common with the southerly boundary of Albrook Air Force Base (Parcel No. 1).

S. 16°05' W., 130.4 feet, to monument No. 35, which is a 2-inch iron pipe set in an 8-inch square concrete post, located 100 feet southerly and at right angles from the centerline of the C-12 Road;

Southeasterly, along a line parallel to, and 100 feet southerly from the centerline of the C-12 Road, to monument No. 34, which is a 2½-inch iron pipe set in an 8-inch square concrete post, located on the right bank of the Rio Dos Bocas, the geodetic position of which is in latitude 9°00' N. plus 1,507.6 feet and longitude 79°33' W. plus 4,994.6 feet;

The above described boundary line from monument No. 41 through monument No. 35 to monument No. 34 is common with a part of the easterly boundary of Fort Clayton Army Reservation.

Southerly, along a line parallel to, and 100 feet westerly from the centerline of the C-12 Road, to monument No. 34-A, which is a 2-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°59' N. plus 5,777.0 feet and longitude 79°33' W. plus 4,419.1 feet;

S. 87°45'40" W., 846.3 feet, through monument No. 34-B, which is a 1½-inch iron pipe set in concrete, and monument No. 34-C,

which is a 2-inch iron pipe set in concrete, to monument No. 34-D, which is a 2-inch iron pipe set in concrete, the distances being 253.7 feet, 320.0 feet and 272.6 feet, successively, from beginning of the course;

S. 02°34'40" W., 174.3 feet, to monument No. 34-E, which is a 2-inch iron pipe set in concrete;

S. 23°27'20" E., 316.8 feet, through monument No. 34-F, which is a 2-inch iron pipe set in concrete, to monument No. 34-G, which is a 2-inch iron pipe set in concrete, the distances being 124.8 feet and 192.0 feet, successively, from beginning of the course;

S. 42°03'50" E., 382.3 feet, through monument No. 34-H, which is a 2-inch iron pipe set in concrete, to monument No. 34-I, which is a 2-inch iron pipe set in concrete, the distances being 138.5 feet and 243.8 feet, successively, from beginning of the course;

S. 54°22'40" E., 496.5 feet, to monument No. 34-J, which is a 2-inch iron pipe set in concrete;

N. 88°56'40" E., 44.7 feet, to monument No. 34-K, which is a 2-inch iron pipe set in concrete;

N. 88°56'10" E., 266.1 feet, to monument No. 34-L, which is a 2-inch iron pipe set in concrete, located at right angles and 100 feet southwesterly from the centerline of the C-12 Road;

S. 38°28'30" E., 152.2 feet, to monument No. 32-A, which is a 3-inch iron pipe set in concrete, located on the northerly boundary of Albrook Air Force Base (Parcel No. 2) at right angles to, and 100 feet southwesterly from the centerline of C-12 Road;

N. 33°38'50" E., 51.7 feet, to monument No. 33, which is a 2-inch iron pipe, located at right angles to, and 50 feet southwesterly from the centerline of the C-12 Road, and is the most northerly point on the boundary of Albrook Air Force Base (Parcel No. 2);

Southeasterly, along a line parallel to, and 50 feet southwesterly from the centerline of the C-12 Road, through monument No. 33-A, which is a 3-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°59' N. plus 4,317.7 feet and longitude 79°33' W. plus 3,512.1 feet, and monument No. 33-D, which is a 3-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°59' N. plus 4,107.6 feet and longitude 79°33' W. plus 3,028.1 feet, to monument No. 34, the point of beginning.

The above described boundary line from monument No. 32-A, through monuments Nos. 33, 33-A, 33-D to monument No. 34, is common with the northerly boundary of Albrook Air Force Base (Parcel No. 2).

Excluded from the above reservation are two isolated areas hereinafter described as Parcel No. 3 and Parcel No. 5 of Albrook Air Force Base.

The directions of the lines refer to the true meridian.

The area of Curundu Army Reservation is 774.5 acres, more or less, and is as shown on Canal Zone Government Drawing No. 6116-34, (Revision No. 2, dated August 21, 1959) entitled "Map Showing U.S. Army and U.S. Air Force Reservations—Fort Clayton, Corozal, Curundu, and Albrook Air Force Base, Canal Zone", scale 1:10,000 dated May 29, 1952, on file in the Office of the Governor of the Canal Zone, Balboa Heights, Canal Zone.

2. That part of Canal Zone Order No. 29 describing Parcel No. 2 of Albrook Air Force Base is amended to read as follows:

*Albrook Air Force Base*

PARCEL NO. 2

Beginning at monument No. 2, which is a 1½-inch iron pipe located on the north-easterly side of Gaillard Highway, opposite Diablo crossing, the geodetic position of

which is in latitude 8°58' N. plus 3,010.7 feet and longitude 79°34' W. plus 663.5 feet.

Thence from said initial point by metes and bounds:

S. 64°22'50" E., 483.6 feet, through monument No. 3, which is a 1½-inch iron pipe, to monument No. 4, which is a 1½-inch iron pipe, the distances being 177.2 feet and 306.4 feet, successively, from beginning of the course;

N. 44°36' E., 102.3 feet, to monument No. 5, which is a 1½-inch iron pipe;

N. 09°44'20" W., 1,883.2 feet, through monuments Nos. 6, 7, 8, and 9, which are 1½-inch iron pipes, to monument No. 10, which is a 1½-inch iron pipe, located inside the cyclone fence surrounding the water tanks northerly from Diablo crossing, the distances being 523.9 feet, 442.9 feet, 410.2 feet, 297.7 feet and 208.5 feet, successively, from beginning of the course;

N. 49°31'30" E., 117.1 feet, to monument No. 11, which is a 1½-inch iron pipe, located on the outside of the above mentioned cyclone fence;

N. 31°47' W., 307.1 feet, along the above mentioned cyclone fence and its prolongation, to monument No. 12, which is a 2-inch iron pipe;

N. 22°19'50" W., 257.5 feet, through monument No. 13, which is a 2-inch iron pipe, to monument No. 14, which is a 2-inch iron pipe, the distances being 33.0 feet and 224.5 feet, successively, from beginning of the course;

N. 21°28' W., 296.9 feet, to monument No. 15, which is a 2-inch iron pipe;

N. 10°10'00" W., 261.1 feet, to monument No. 16, which is a 2-inch iron pipe;

N. 26°10'20" W., 455.5 feet, to monument No. 17, which is a 2-inch iron pipe, located on the prolongation of a cyclone fence;

N. 73°51'30" E., 219.8 feet, along the prolongation of, and along the face of the above mentioned cyclone fence, through monument No. 17-A, which is a 3-inch iron pipe, located on the southerly boundary of Corozal Army Reservation (Parcel No. 1), to monument No. 18, which is a brass plug in a concrete road pavement near the Army Finance Office, the distances being 168.0 feet and 51.8 feet, successively, from beginning of the course;

N. 58°02'30" E., 244.7 feet, along the above mentioned cyclone fence and its prolongation to monument No. 19, which is a 2-inch iron pipe;

N. 01°26'30" W., 1,563.8 feet, through monuments Nos. 20, 21 and 22, which are 2-inch iron pipes, to monument No. 23, which is an 8-inch square concrete post, further described as old Curundu Military Reservation boundary monument No. 33, located on top of Corozal Hill, the distances being 384.3 feet, 583.5 feet, 360.2 feet and 235.8 feet, successively, from beginning of the course;

The above described boundary line from monument No. 17-A to monument No. 23 inclusive, is common with the easterly boundary of Corozal Army Reservation (Parcel No. 1);

N. 60°03'20" E., 1,485.1 feet, through monuments Nos. 24, 25, 26, and 27, which are 2-inch iron pipes, to monument No. 28, which is a 2-inch iron pipe, the distances being 497.2 feet, 202.0 feet, 229.1 feet, 225.5 feet and 331.3 feet, successively, from beginning of the course;

N. 33°39'20" E., 1,623.6 feet, through monuments Nos. 29, 30 and 31, which are 2-inch iron pipes, to monument No. 32, which is a 2-inch iron pipe, the distances being 265.5 feet, 249.1 feet, 299.9 feet, and 809.1 feet, successively, from beginning of the course;

N. 33°38'50" E., 708.1 feet, through monument No. 32-A, which is a 3-inch iron pipe set in concrete, located on the westerly boundary of Curundy Army Reservation, to monument No. 33, which is a 2-inch iron pipe, located at right angles to, and 50 feet southwesterly from the centerline of the

C-12 Road, the distances being 656.4 feet and 51.7 feet, successively, from beginning of the course;

Southeasterly along a line parallel to, and 50 feet southwesterly from the centerline of the C-12 Road, through monument No. 33-A, which is a 3-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°59' N. plus 4,317.7 feet and longitude 79°33' W. plus 3,512.1 feet, and monument No. 33-D, which is a 3-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°59' N. plus 4,107.6 feet and longitude 79°33' W. plus 3,028.1 feet to monument No. 34, which is a 2½-inch iron pipe, located southeasterly from Albrook Air Force Base Gate No. 13, the geodetic position of which is in latitude 8°59' N. plus 3,350.6 feet and longitude 79°33' W. plus 2,189.4 feet;

S. 70°02'20" W., 70.1 feet, to monument No. 35, which is a 2½-inch iron pipe, located near the northeast corner of the Deer Park;

S. 15°28'20" E., 127.4 feet, along the eastern fence line of the Deer Park, to monument No. 36, which is a 1½-inch iron pipe, located at the southeast corner of the Deer Park;

S. 45°43'50" W., 149.8 feet, along the southerly fence line of the Deer Park, to monument No. 37, which is a 1½-inch iron pipe, located at the southwesterly corner of the Deer Park;

S. 39°15'30" E., 171.9 feet, to monument No. 38, which is a 1½-inch iron pipe;

S. 39°15'10" E., 111.9 feet, to monument No. 39, which is a 1½-inch iron pipe;

S. 39°15'30" E., 50.7 feet, to monument No. 40, which is a 1½-inch iron pipe;

S. 15°28'50" W., 739.4 feet, through monuments Nos. 41, 42 and 43, which are 1½-inch iron pipes, to monument No. 44, which is a 1½-inch iron pipe, the distances being 215.5 feet, 117.0 feet, 192.2 feet and 214.7 feet, successively, from beginning of the course;

S. 15°28'40" W., 972.1 feet, through monument No. 45, which is a 1½-inch iron pipe, to monument No. 46, which is a 1½-inch iron pipe, the distances being 669.0 feet and 303.1 feet, successively, from beginning of the course;

S. 28°47'50" E., 1,149.0 feet, through monument No. 47, which is a 1½-inch iron pipe, to monument No. 48, which is a 1½-inch iron pipe, the distances being 692.4 feet and 456.6 feet, successively from beginning of the course;

S. 24°35'30" E., 104.3 feet, to monument No. 49, which is a 1½-inch iron pipe;

S. 14°00'20" E., 350.3 feet, along the westerly side of an improved drain, through monument No. 50, which is a 1½-inch iron pipe, to monument No. 51, which is a 1½-inch iron pipe, the distances being 238.2 feet and 112.1 feet, successively, from beginning of the course;

S. 02°25'30" E., 303.4 feet, along the westerly side of the above mentioned improved drain, to monument No. 52, which is a 1½-inch iron pipe;

S. 21°38'00" E., 171.3 feet, along the westerly side of the above mentioned improved drain, to monument No. 53, which is a 1½-inch iron pipe;

S. 34°12'30" E., 326.6 feet, along the westerly side of the above mentioned improved drain, to monument No. 54, which is a brass plug in a concrete road pavement;

S. 17°11'50" W., 451.3 feet, along the westerly side of the above mentioned improved drain, to monument No. 55, which is a 1½-inch iron pipe;

S. 66°17'30" W., 77.1 feet, along the northerly side of the above mentioned improved drain, to monument No. 56, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

S. 73°27'50" E., 148.1 feet, along the northerly side of an improved drain, to monument No. 57, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

N. 48°48'20" E., 67.3 feet, along the southeasterly side of an improved drain, to monument No. 58, which is a 1½-inch iron pipe;

N. 64°44'40" E., 444.5 feet, along the above mentioned improved drain, to monument No. 59, which is a 1½-inch iron pipe;

N. 80°37'20" E., 631.5 feet, along the above mentioned improved drain and its prolongation, to monument No. 60, which is a 2-inch iron pipe, located on the southerly side of an improved drain at its head;

N. 48°30'00" E., 342.4 feet, along the above mentioned improved drain, to monument No. 61, which is a 2-inch iron pipe;

N. 72°13'40" E., 145.4 feet, along the above mentioned improved drain, to monument No. 62, which is a 2-inch iron pipe, located at the intersection of two improved drains;

S. 06°52'50" W., 541.3 feet, along the easterly side of an improved drain, to monument No. 63, which is a 1½-inch iron pipe;

S. 09°14'30" W., 241.4 feet, along the easterly side of the above mentioned improved drain, to monument No. 64, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

N. 61°37'40" E., 262.2 feet, along the northwesterly side of an improved drain, to monument No. 65, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

S. 68°53'50" E., 859.8 feet, along the northerly side of an improved drain, to monument No. 66 which is a 1½-inch iron pipe;

S. 11°09'00" W., 247.5 feet, along the easterly side of the above mentioned improved drain, to monument No. 67, which is a 1½-inch iron pipe;

S. 64°55'30" E., 47.7 feet, to monument No. 68, which is a brass plug set in the westerly edge of the concrete pavement of Curundu Road;

S. 20°49'00" W., 676.2 feet, to monument No. 69, which is a 2-inch iron pipe, located at the corner of a cyclone fence on the westerly side of Curundu Road;

Along the above mentioned cyclone fence, with the following courses, to monument No. 75-1;

S. 20°48'10" W., 587.0 feet, to monument No. 70, which is a 2-inch iron pipe;

S. 15°51'10" W., 1,319.8 feet, to monument No. 71, which is a 1½-inch iron pipe;

S. 19°23'30" W., 116.0 feet, to monument No. 72, which is a 2-inch iron pipe;

S. 26°28'20" W., 86.8 feet, to monument No. 73, which is a 1½-inch iron pipe, located at the corner of the above mentioned cyclone fence;

N. 52°01'20" W., 192.3 feet, to monument No. 74, which is a brass plug in a concrete road pavement;

N. 49°48'50" W., 445.3 feet, to monument No. 75, which is a 1½-inch iron pipe, located at the corner of the above mentioned cyclone fence;

N. 50°56'10" W., 561.9 feet, to monument No. 75-1, which is a 1½-inch iron pipe, located 250.0 feet southeasterly from the northwesterly edge of a taxiway;

S. 20°28'30" W., 670.3 feet, along a line parallel to and 250.0 feet southeasterly from the above mentioned taxiway to monument No. 75-2, which is a 1½-inch iron pipe;

S. 39°46'25" W., 1,192.3 feet, along a line parallel to and 250.0 feet southeasterly from the above mentioned taxiway, to monument No. 75-3, which is a 1½-inch iron pipe;

S. 20°18'10" E., 187.1 feet, to monument "Y", which is a 3-inch iron pipe set in concrete, located on the outside of a cyclone fence, southwesterly from the Civil Affairs Building;

S. 20°18'10" E., 254.1 feet, to monument "X", which is a 2½-inch iron pipe set in concrete, located 15 feet northerly from the north edge of the Gallard Highway pavement;

S. 67°02'00" W., 308.7 feet, to monument "W", which is a 3-inch iron pipe set in concrete, located on the outside of a cyclone

fence near the southeast corner of the hangar;

S. 54°38'10" W., 65.7 feet, along the above mentioned cyclone fence, to monument "V", which is a 3-inch iron pipe set in concrete;

S. 49°14'20" W., 154.6 feet, along the above mentioned cyclone fence, to monument "U", which is a 3-inch iron pipe set in concrete;

S. 85°23'00" W., 57.4 feet, along the above mentioned cyclone fence, to monument "T", which is a 3-inch iron pipe set in concrete;

S. 39°04'50" W., 836.2 feet, along the above mentioned cyclone fence, to monument "S", which is a 3-inch iron pipe set in concrete;

S. 05°12'40" E., 20.4 feet, along the above mentioned cyclone fence, to monument "R", which is a 3-inch iron pipe set in concrete;

S. 40°17'50" W., 378.4 feet, through the above mentioned cyclone fence, to monument "Q", which is a 3-inch iron pipe set in concrete, located inside the above mentioned cyclone fence, and 30 feet northwesterly from the northwesterly edge of the Galliard Highway pavement;

Southwesterly, along a line parallel to, and 30 feet from the northwesterly edge of Galliard Highway pavement, passing through to the outside of the above mentioned cyclone fence, to monument "P", which is a 3-inch iron pipe set in concrete, located 1.5 feet from the outside of the above mentioned cyclone fence, the geodetic position of which is in latitude 8°57' N. plus 4,796.5 feet and longitude 79°33' W. plus 3,406.7 feet;

Westerly, parallel to, and 1.5 feet from the face of the above mentioned cyclone fence, to monument "M", which is a 3-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°57' N. plus 4,887.1 feet and longitude 79°33' W. plus 4,153.0 feet;

N. 45°40'40" W., 265.2 feet, along the above mentioned cyclone fence, to monument "L", which is a 3-inch iron pipe set in concrete;

N. 34°35'40" W., 305.1 feet, along the above mentioned cyclone fence, to monument "K", which is a 3-inch pipe set in concrete;

N. 26°57'30" W., 300.2 feet, along the above mentioned cyclone fence, to monument "J", which is a 3-inch iron pipe set in concrete;

N. 20°14'30" W., 791.0 feet, along the above

mentioned cyclone fence, to monument "I", which is a 3-inch iron pipe set in concrete;

N. 32°45'40" W., 507.7 feet, to monument "H", which is a 3-inch iron pipe set in concrete, located beside the above mentioned cyclone fence, northwesterly from Albrook Air Force Gate No. 2;

N. 32°46'20" W., 995.4 feet, along the above mentioned cyclone fence, through monument "G", which is a 3-inch iron pipe set in concrete, to monument "F", which is a 3-inch iron pipe set in concrete, the distances being 254.6 feet and 740.8 feet, successively, from beginning of the course;

N. 87°49'10" W., 29.2 feet, along the above mentioned cyclone fence, to monument D-2, which is a round iron corner post of the above mentioned cyclone fence;

N. 32°43'50" W., 647.3 feet, along the face of the above mentioned cyclone fence, to monument D-1, which is the first iron "I" post in the above mentioned cyclone fence, located southeasterly from Gate No. 1, of Albrook Air Force Base;

N. 41°33'40" W., 168.8 feet, to monument "D", which is a 3-inch iron pipe set in concrete, located on the northeasterly side of Galliard Highway, and is old Curundu Military Reservation boundary monument No. 51;

N. 32°49'50" W., 514.0 feet, to monument "C", which is a brass plug in the edge of the Galliard Highway third lane widening strip, southeasterly from the Diablo crossing;

N. 25°35'50" W., 39.0 feet, along the edge of the pavement widening strip, to monument "B", which is an iron rod set in concrete, located at an angle in the above mentioned widening strip;

N. 32°49'50" W., 362.7 feet, along the edge of the pavement widening strip and its prolongation, to monument "A", which is a brass plug set in the pavement on the east side of Diablo crossing;

N. 57°53'30" E., 46.4 feet, to monument No. 2, the point of beginning.

3. The last paragraph of that part of Canal Zone Order No. 29 describing Albrook Air Force Base is amended to read as follows:

The total area of Albrook Air Force Base is 2,680.0 acres, more or less; Parcel No. 1 is 1,403.9 acres, more or less; Parcel No. 2 is 1,141.0 acres, more or less; Parcel No. 3 is 31.8 acres, more or less; Parcel No. 4 is 98.8 acres, more or less, and Parcel No. 5 is 4.7 acres, more or less; and is as shown on Canal Zone Government Drawing No. 6116-34 (Revision No. 2, dated August 21, 1959) entitled "Map Showing U.S. Army and U.S. Air Force Reservations—Fort Clayton, Corozal, Curundu, and Albrook Air Force Base, Canal Zone", scale 1:10,000, dated May 29, 1952, on file in the Office of the Governor of the Canal Zone, Balboa Heights, Canal Zone.

4. The last paragraph of section 1 of Canal Zone Order No. 29 is amended to read as follows:

GENERAL

The surveys over the boundaries of the Fort Clayton, Corozal, and Curundu Army Reservations and the Albrook Air Force Base, were made in January 1946, November and December, 1950, January, August, September, and December 1951, and March and April 1952, and August, 1959, and are recorded in Field Books numbered M-384, M-425, M-426, M-463, M-476, M-477, M-480, M-483, M-485, M-488, M-492 and M-567, and the geodetic positions of all points, referred to the Panama-Colon datum of the Canal Zone triangulation system, are on file in the office of the Surveys Branch, Engineering and Construction Bureau, the Panama Canal Company. Any change in geodetic position of monuments describing the boundary of the old Curundu Military Reservation is due to recomputation of positions based on better controlled network and is not to be construed as the movement of monuments to new positions, with the exception of revisions agreed to by all concerned.

WILBER M. BRUCKER,  
Secretary of the Army.

JANUARY 20, 1960.

[F.R. Doc. 60-786; Filed, Jan. 26, 1960; 8:48 a.m.]

PROPOSED RULE MAKING

FEDERAL AVIATION AGENCY

[ 14 CFR Part 507 ]

[Reg. Docket No. 252]

AIRWORTHINESS DIRECTIVES

Boeing 707 Aircraft

Pursuant to the authority delegated to me by the Administrator (§ 405.27, 24 F.R. 2196), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring modification of the outboard aileron balance tab to correct improper rigging which has resulted in wingtip oscillatory motions on certain Boeing 707 aircraft.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section, of the Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before

February 26, 1960, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available, in the Docket Section, for examination by interested persons when the prescribed date for return of comments has expired.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a), (14 CFR Part 507), by adding the following airworthiness directive:

BOEING. Applies to the following 707 Series aircraft only: Serial Numbers 17586 thru 17596, 17609 thru 17612, 17628 thru 17648, 17658 thru 17672, 17696 thru 17702, 17925 thru 17927.

Compliance required as indicated.

As a result of one known incident wherein aggravated dutch roll was experienced due to improper rigging of the outboard aileron balance tab, the following modifications shall be accomplished:

Unless already accomplished, prior to May 15, 1960:

(a) Replace aileron quadrant rod assembly P/N 90-2480-3001 with redesigned rod assembly P/N 69-10829 (LH and RH side).

(b) Replace support channel P/N 6-83872-2000 located on beam installation P/N 9-65133 (aileron lockout crank) with new channel P/N 69-10833. Adjust stop in accordance with maintenance manual procedure.

(c) Revise rigging of outboard aileron balance tab to 1.5 degrees (± 0.5 degrees) down with the aileron in the neutral position. (Boeing Service Bulletin No. 583 dated September 24, 1959, pertains to this same subject.)

Issued in Washington, D.C., on January 20, 1960.

B. PUTNAM,  
Acting Director,  
Bureau of Flight Standards.

[F.R. Doc. 60-772; Filed, Jan. 26, 1960; 8:45 a.m.]

[ 14 CFR Part 507 ]

[Reg. Docket No. 253]

AIRWORTHINESS DIRECTIVES

Martin 404 Aircraft

Pursuant to the authority delegated to me by the Administrator, (§ 405.27, 24

F.R. 2196), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring replacement of lock plungers on each main gear of Martin 404 aircraft to prevent malfunctioning.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section, of the Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington, 25, D.C. All communications received on or before February 26, 1960, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available, in the Docket Section, for examination by interested

persons when the prescribed date for return of comments has expired.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a), (14 CFR Part 507), by adding the following airworthiness directive:

**MARTIN.** Applies to all Martin 404 aircraft. Compliance required as indicated.

Investigation of a recent Model 404 wheels up landing disclosed that the landing gear lock linkage and lock plunger malfunctioned. Inspection of the jury strut revealed that when the lock plunger was pulled back to normal travel limits in operating the "free fall" actuating mechanism to "full travel", the plunger would periodically jam in the retracted position and consequently flare out in the form of a knife edge. Also, cutting action was evident in the forward bushings (in the plunger cylinder) in an area coincident with the two flared edges. To prevent

further lock plunger malfunctioning, the following must be accomplished:

(a) Replace lock plunger P/N 404-4900121-3 with new lock plunger P/N 404-4900121-5 on each main landing gear by July 31, 1960.

(b) At each 320 hours time in service commencing not later than May 15, 1960, visually inspect main and nose gear lock plungers for a spalling or flaring condition. Check the lock plunger for free operation. The plunger should be free from dirt, dust, moisture, ice, etc. If spalling or flaring exists, the lock plunger must be chamfered (rounded out) at the corners of the plunger for the full length of the flat area.

(Martin Service Bulletin No. 404-260 dated October 30, 1952, partially covers this subject.)

Issued in Washington, D.C., on January 20, 1960.

B. PUTNAM,  
Acting Director,  
Bureau of Flight Standards.

[F.R. Doc. 60-773; Filed, Jan. 26, 1960; 8:45 a.m.]

## NOTICES

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

#### CALIFORNIA

[Classification 544]

#### Small Tract Opening; Amendment

JANUARY 19, 1960.

Pursuant to authority delegated to me by the California State Supervisor, Bureau of Land Management, under Part II, Document 4, California State Office, dated November 19, 1954 (19 F.R. 7697), I hereby authorize the sale on February 24, 1960, lands classified for disposal by Federal Register Document 59-9171, appearing on pages 8858-8859 of the issue for October 30, 1959, and corrected by Federal Register Document 59-9770, appearing on page 9348 of the issue for November 19, 1959.

The lands were suspended from disposal by Federal Register Document 60-123, appearing on page 125 of the issue for January 7, 1960.

R. G. SPORLEDER,  
Officer-in-Charge,  
Northern Field Group,  
Sacramento, California.

[F.R. Doc. 60-777; Filed, Jan. 26, 1960; 8:47 a.m.]

#### ALASKA

#### Notice of Proposed Withdrawal and Reservation of Lands

The Federal Communications Commission has filed an application, Serial Number 050624 for the withdrawal of the lands described below, from all forms of appropriation under the public lands laws including mining and mineral leasing. The applicant desires the land for

use as a Monitoring and Direction Finding Station.

For a period of 60 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Anchorage Operations Office, Mailing Address: 334 East Fifth Avenue, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

#### POINT CAMPBELL AREA

T. 12 N., R. 4 W., S.M.,  
Sec. 4: Lots 2, 3, 6 NW¼NW¼.

Containing 172.92 acres.

L. T. MAIN,  
Operations Supervisor.

[F.R. Doc. 60-778; Filed, Jan. 26, 1960; 8:47 a.m.]

#### Geological Survey

#### MONTANA, NEW MEXICO, UTAH, WEST VIRGINIA, WYOMING

#### Definition of Known Geologic Structures of Producing Oil and Gas Fields

JANUARY 21, 1960.

Former paragraph (c) of § 227.0, Part 227, Title 30, Chapter II Code of Federal Regulation (1947 Supp.), codification of which has been discontinued by

a document published in Part II of the FEDERAL REGISTER dated December 31, 1948, is hereby supplemented by the addition of the following list of defined structures effective as of the dates shown.

#### Name of Field, Effective date, and Acreage

##### (4) MONTANA

Poplar (revision), June 26, 1956----- 22, 294

##### (5) NEW MEXICO

Sawyer (revision), Aug. 15, 1959----- 6, 133

##### (8) UTAH

Greater Aneth, Sept. 15, 1959----- 67, 264

##### (8a) WEST VIRGINIA

Glady (revision), Jan. 15, 1959----- 58, 608

##### (9) WYOMING

Lightning Creek, Aug. 1, 1959----- 2, 818

Trail, July 14, 1959----- 10, 713

THOMAS B. NOLAN,  
Director.

[F.R. Doc. 60-779; Filed, Jan. 26, 1960; 8:47 a.m.]

#### Office of the Secretary

[Order No. 2845]

#### COMMISSIONER OF FISH AND WILDLIFE

#### Delegation of Authority To Negotiate a Contract for Procurement of One Sharples Oil Purifier

SECTION 1. *Delegation.* The Commissioner of Fish and Wildlife is authorized subject to the provisions of section 2 of this order, to exercise the authority delegated by the Administrator of General Services to the Secretary of the Interior (24 F.R. 1921) to negotiate, without advertising, under section 302(c)(13) of the Federal Property and Administra-

tive Services Act of 1949, as amended (41 U.S.C. 252 et seq.), a contract for the procurement of one Sharples oil purifier for use on St. Paul Island, Alaska.

SEC. 2. *Exercise of authority.* The authority delegated by section 1 of this order shall be exercised in accordance with the applicable limitations in the Federal Property and Administrative Services Act of 1949, as amended, and in accordance with applicable policies, procedures and controls prescribed by the General Services Administration and the Department of the Interior.

SEC. 3. *Redelegation.* The Commissioner of Fish and Wildlife may, in writing, redelegate or authorize written redelegation of the authority granted in section 1 of this order to a subordinate official or employee. The redelegation of this authority shall be published in the FEDERAL REGISTER.

ELMER F. BENNETT,  
*Acting Secretary of the Interior.*

JANUARY 20, 1960.

[F.R. Doc. 60-780; Filed, Jan. 26, 1960; 8:47 a.m.]

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service CHAMBERS COUNTY STOCKYARDS ET AL.

#### Posted Stockyards

Pursuant to the authority delegated to the Director, Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), on the respective dates specified below it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the act (7 U.S.C. 202) and were, therefore, subject to the act, and notice was given to the owners and to the public by posting notice at the stockyards as required by said section 302.

#### *Name of Stockyard and Date of Posting*

##### ALABAMA

Chambers County Stockyards, Lafayette, Oct. 1, 1959.  
Tri-County Stock Yards, Hurtsboro, Oct. 1, 1959.

##### ARIZONA

Kohl Dairy Auction, Tempe, Nov. 7, 1959.

##### ARKANSAS

Arkansas National Stockyards Co., Little Rock, Dec. 17, 1959.  
North Arkansas Livestock Auction, Inc., Green Forest, Nov. 6, 1959.

##### CALIFORNIA

Alta Sales Yard, Dinuba, Oct. 19, 1959.  
Bakersfield Livestock Auction Co., Bakersfield, Nov. 6, 1959.  
Camden Sales Yard, Laton, Nov. 10, 1959.  
Carl Johnson Co., Eureka, Oct. 15, 1959.  
Cherry Auction, Fresno, Oct. 6, 1959.  
Chowchilla Livestock Auction Yards, Chowchilla, Nov. 20, 1959.  
Cow Palace Livestock Auction, Elk Grove, Oct. 1, 1959.  
Dos Palos Y Auction Yard, Dos Palos, Nov. 16, 1959.

El Roble Auction Yard, Ukiah, Oct. 23, 1959.  
Escalon Livestock Auction, Escalon, Nov. 27, 1959.  
Escondido Livestock Auction Company, Escondido, Oct. 28, 1959.  
Gridley Auction & Sales Yard, Gridley, Nov. 18, 1959.  
Humboldt Livestock Auction, Inc., Fortuna, Oct. 2, 1959.  
Lassen Auction Yard, Susanville, Oct. 29, 1959.  
Modesto Livestock Commission Co., Modesto, Oct. 15, 1959.  
Modoc Auction Yard, Alturas, Oct. 29, 1959.  
Napa Livestock Auction, Napa, Nov. 2, 1959.  
Oakdale Livestock Auction Yard, Oakdale, Oct. 22, 1959.  
Orland Auction Yard, Orland, Oct. 10, 1959.  
Orland Livestock Commission Yard, Orland, Nov. 13, 1959.  
Overland Stockyards, Hanford, Nov. 3, 1959.  
Petaluma Livestock Commission Co., Petaluma, Oct. 10, 1959.  
Riverbank Livestock Auction Yard, Riverbank, Dec. 1, 1959.  
Roseville Livestock Auction Yard, Roseville, Nov. 6, 1959.  
San Jacinto Livestock Auction Co., San Jacinto, Oct. 15, 1959.  
Santa Rosa Livestock Auction, Santa Rosa, Oct. 20, 1959.  
Santa Ynez Valley Sales Yard, Buellton, Nov. 5, 1959.  
Santee Auction Co., Santee, Sept. 30, 1959.  
Schene Livestock Auction Company, Dixon, Nov. 6, 1959.  
Silveira's Livestock Auction Yard, Modesto, Nov. 23, 1959.  
Slaskiyou Stockyards, Yreka, Oct. 5, 1959.  
Tulare Sales Yard, Inc., Tulare, Oct. 7, 1959.  
Valley Livestock Marketing Association, Dixon, Oct. 6, 1959.  
Valley Livestock Marketing Association, Red Bluff, Oct. 6, 1959.  
West Side Auction Yard, Newman, Oct. 28, 1959.  
Williams Auction Yard, Williams, Oct. 5, 1959.  
Willows Livestock Commission Co., Willows, Nov. 13, 1959.  
Yuba City Auction Yard, Yuba City, Nov. 9, 1959.  
Zinn Bros. Livestock Commission Co., El Centro, Sept. 27, 1959.

##### COLORADO

Hotchkiss Sales Yard, Hotchkiss, Oct. 26, 1959.

##### CONNECTICUT

Kahn's Stockyard, North Franklin, Dec. 7, 1959.

##### DELAWARE

Carroll's Sale Co., Dover, Nov. 3, 1959.  
Harris Sales Corporation, Odessa, Dec. 21, 1959.  
Rudnick Livestock Sales Co., Dover, Oct. 28, 1959.

##### GEORGIA

Bartow Livestock Commission Co., Cartersville, Dec. 26, 1959.  
W. L. Moseley Live Stock Co., Blakely, Dec. 18, 1959.

##### IDAHO

Salmon Sale Yard, Salmon, Oct. 19, 1959.  
Shoshone Sale Yard, Inc., Shoshone, Nov. 6, 1959.

##### ILLINOIS

Antioch Sales & Commission, Antioch, Nov. 18, 1959.  
Arnold Livestock Company, Gibson City, Nov. 19, 1959.  
Arthur Auction Co., Arthur, Nov. 20, 1959.  
Bristol Livestock Sale, Bristol Station, Nov. 17, 1959.  
Brookville Consignment Sale, Brookville, Nov. 24, 1959.  
Bryon Livestock Commission Co., Bryon, Nov. 20, 1959.

Carrollton Auction Sales, Carrollton, Nov. 17, 1959.  
Carthage Sale Barn, Carthage, Dec. 2, 1959.  
Central Illinois Horse Auction, Arthur, Nov. 20, 1959.  
Charleston Livestock Auction, Charleston, Nov. 20, 1959.  
Colchester Sales Association, Colchester, Dec. 3, 1959.  
Danville Livestock Commission Co., Danville, Nov. 20, 1959.  
DeWane's Livestock Exchange, Belvidere, Nov. 20, 1959.  
Flanagan Livestock Auction, Flanagan, Nov. 19, 1959.  
Forrest Livestock Sales, Forrest, Nov. 19, 1959.  
Franklin County Live Stock & Commission Sales, Sesser, Nov. 18, 1959.  
Freeler's Livestock Sales, Classna Park, Nov. 18, 1959.  
Freeport Sales Barn, Freeport, Nov. 24, 1959.  
Geneseo Sales Co., Geneseo, Nov. 27, 1959.  
Harry Schrader Consignment Sale, Dakota, Nov. 23, 1959.  
Hilltop Sales Barn, Alton, Nov. 17, 1959.  
Illinois Auction Commission Co., Paris, Nov. 20, 1959.  
Jennings Sales Company, Macomb, Dec. 3, 1959.  
Kankakee Livestock Sales Co., Bourbonnais, Nov. 17, 1959.  
Kewanee Sale Barn, Kewanee, Dec. 3, 1959.  
Knoxville Community Sale Co., Knoxville, Dec. 2, 1959.  
La Salle County Livestock Marketing Center, Ottawa, Nov. 23, 1959.  
Maple Park Livestock Sales, Maple Park, Nov. 18, 1959.  
Mattoon Auction Co., Mattoon, Nov. 19, 1959.  
Milford Sales & Commission Co., Milford, Nov. 18, 1959.  
Olney Livestock Commission Co., Inc., Olney, Nov. 20, 1959.  
Paris Livestock Sales Co., Paris, Nov. 20, 1959.  
Pearl City Sale Barn, Pearl City, Nov. 25, 1959.  
Pecatonica Livestock Exchange, Pecatonica, Nov. 23, 1959.  
Penfield Livestock Commission Co., Penfield, Nov. 20, 1959.  
Peterson Livestock Auction, Wyoming, Nov. 30, 1959.  
Pittsfield Community Sale, Pittsfield, Nov. 17, 1959.  
Pontiac Livestock Sales, Pontiac, Nov. 13, 1959.  
Princeton Sale Barn, Princeton, Nov. 24, 1959.  
Princeville Livestock Sales, Princeville, Nov. 25, 1959.  
Pullen Auction Co., Metropolis, Nov. 27, 1959.  
Quincy Sales Co., Quincy, Nov. 18, 1959.  
Rock Island Auction Sales, Inc., Rock Island, Nov. 27, 1959.  
Roe's Consignment Sale, Chana, Nov. 20, 1959.  
Savanna Livestock Sales, Savanna, Nov. 25, 1959.  
Slater Sale Pavilion, Pana, Nov. 19, 1959.  
Stoutenborough Auction, Springfield, Nov. 18, 1959.  
Sullivan Sale Barn, Sullivan, Nov. 19, 1959.  
Tallula Cattle Co., Tallula, Nov. 18, 1959.  
Vade Wehmeyer's Mendota Livestock Auction, Mendota, Nov. 27, 1959.  
Vandalla Community Sale, Vandalla, Nov. 19, 1959.  
Viola Auction Co., Viola, Nov. 30, 1959.  
Walnut Sales Co., Walnut, Nov. 23, 1959.  
Warren County Sale Barn, Monmouth, Dec. 1, 1959.  
West Kankakee Livestock Sales, Kankakee, Nov. 17, 1959.  
Wilson Sale Company, Fairview, Nov. 24, 1959.  
Winslow Sale Barn, Winslow, Nov. 24, 1959.  
Woodford County Livestock Sales, Inc., El Paso, Nov. 20, 1959.

##### INDIANA

Middletown Sale Barn, Middletown, Nov. 4, 1959.

## NOTICES

## IOWA

Mitchell County Auction, Osage, Dec. 8, 1959.

## KANSAS

Glasco Livestock Exchange, Glasco, Dec. 2, 1959.

Hugoton Livestock Commission Co., Hugoton, Dec. 7, 1959.

Newton Livestock Auction Market, Inc., Newton, Dec. 9, 1959.

## KENTUCKY

Adair County Stock Yards Co., Columbia, Dec. 9, 1959.

Albany Stock Yards, Albany, Dec. 9, 1959.

Allen County Livestock Commission Market, Inc., Scottsville, Dec. 11, 1959.

Berry and Whitford Stockyard, Mayfield, Dec. 9, 1959.

Bowling Green Livestock Market, Inc., Bowling Green, Dec. 17, 1959.

Burkesville Stockyard, Burkesville, Dec. 10, 1959.

C & H Stockyards, Isom, Jan. 5, 1960.

Catlettsburg Livestock Sales Co., Catlettsburg, Jan. 4, 1960.

Christian County Livestock Market, Inc., Hopkinsville, Dec. 11, 1959.

Falmouth Stockyards, Falmouth, Dec. 28, 1959.

Farmers Commission Company, Inc., Tompkinsville, Dec. 10, 1959.

Farmers Livestock Auction Company, Mayfield, Dec. 9, 1959.

Farmers Livestock Market, Inc., Somerset, Dec. 9, 1959.

Farmers Livestock Market, London, Dec. 7, 1959.

Farmer's Livestock Sales, Inc., Louisa, Jan. 4, 1960.

Franklin Livestock Market, Inc., Franklin, December 12, 1959.

Glasgow Live Stock Market, Incorporated, Glasgow, Dec. 11, 1959.

Grayson County Livestock Market, Leitchfield, Dec. 8, 1959.

Green County Stock Yards, Greensburg, Dec. 19, 1959.

Hart County Livestock Market, Munfordville, Dec. 12, 1959.

Hopkinsville Live Stock Co., Inc., Hopkinsville, Dec. 10, 1959.

Hutcherson Livestock Market, Glasgow, Dec. 11, 1959.

Knox County Stockyards, Inc., Barbourville, Dec. 8, 1959.

Laurel Sales Company, London, Dec. 8, 1959.

Lebanon Stockyard, Inc., Lebanon, Dec. 19, 1959.

Lincoln County Stockyards, Inc., Stanford, Dec. 29, 1959.

Livermore Auction Co., Livermore, Dec. 8, 1959.

Logan County Live Stock Co., Russellville, Dec. 11, 1959.

Marion County Stockyards, Inc., Lebanon, Dec. 19, 1959.

Middlesboro Livestock Auction Co., Middlesboro, Dec. 8, 1959.

Monticello Stock Yards, Monticello, Dec. 10, 1959.

More Head Stock Yards, More Head, Dec. 30, 1959.

Murray Live Stock Company, Murray, Dec. 10, 1959.

Owsley County Stock Yards, Booneville, Jan. 6, 1960.

Paintsville Livestock Market, Staffordsville, Jan. 5, 1960.

Pikeville Livestock Market, Pikeville, Jan. 5, 1960.

Princeton Livestock Co., Inc., Princeton, Dec. 8, 1959.

Ratcliff Stock Yards, Mt. Sterling, Dec. 30, 1959.

Russell County Stock Yards, Russell Springs, Dec. 9, 1959.

Science Hill Stockyards, Science Hill, Dec. 9, 1959.

Sparta Stockyards Co., Sparta, Dec. 28, 1959.  
Taylor County Stock Yards, Campbellsville, Dec. 18, 1959.

T. E. Vasseur & Son, Paducah, Dec. 9, 1959.  
Tompkinsville Livestock Market, Inc., Tompkinsville, Dec. 10, 1959.

Washington County Stock Yards Company, Inc., Springfield, Dec. 29, 1959.

Williamstown Stock Yards, Williamstown, Dec. 28, 1959.

## MAINE

Central Maine Livestock Auction, Randolph, Nov. 30, 1959.

## MARYLAND

Aberdeen Sales Co., Aberdeen, Oct. 27, 1959.

Blaine H. Friend Stockyard, Inc., Accident (formerly Friend Stockyard), Dec. 1, 1959.

Cumberland Stockyards, Inc., Cumberland, Oct. 28, 1959.

Farmers Market & Auction, Charlotte Hall, Nov. 25, 1959.

Frederick Livestock Auction, Inc., Frederick, Nov. 23, 1959.

Grantsville Livestock Auction, Grantsville, Oct. 29, 1959.

The Caroline Sales Company, Denton, Oct. 28, 1959.

Western Maryland Stockyards, Inc., Westminster, Nov. 16, 1959.

Woodsboro Livestock Sales, Inc., Woodsboro, Nov. 10, 1959.

## MICHIGAN

Kalamazoo Livestock Sales Company, Kalamazoo, Dec. 3, 1959.

Wolverine Dairy Consignment Sale, Wolverine, Dec. 18, 1959.

## MINNESOTA

Arends Sale Yard, Blue Earth, Nov. 16, 1959.

Belgrade Community Sale, Belgrade, Dec. 4, 1959.

Belle Plaine Commission Co., Belle Plaine, Oct. 29, 1959.

Conger Sales, Conger, Nov. 1, 1959.

Dales Sale Barn, Detroit Lakes, Nov. 5, 1959.

Fairmont Livestock Sales, Fairmont, Oct. 26, 1959.

Farmers Livestock Exchange, Caledonia, Oct. 23, 1959.

Fergus Falls Auction Market, Fergus Falls, Nov. 12, 1959.

Geneva Livestock Sales, Geneva, Dec. 29, 1959.

Jackson Livestock Exchange, Jackson, Dec. 24, 1959.

Lanesboro Sales Commission, Lanesboro, Dec. 1, 1959.

Long Prairie Sales Barn, Long Prairie, Nov. 1, 1959.

Mankato Livestock Commission Co., Mankato, Oct. 29, 1959.

Menahga Sale Pavilion, Menahga, Oct. 27, 1959.

Pine City Livestock Sales, Pine City, Oct. 14, 1959.

Slayton Livestock Sales Pavilion, Slayton, Dec. 8, 1959.

Southwestern Minnesota Sales Pavilion, Worthington, Nov. 6, 1959.

Spring Valley Sales Pavilion, Spring Valley, Nov. 13, 1959.

St. Cloud Livestock Market, St. Cloud, Nov. 4, 1959.

Winger Sale Barn, Winger, Dec. 17, 1959.

## MISSOURI

Cabool Live Stock, Cabool, Nov. 17, 1959.

Dale D. Seabaugh Auction Barn, Sedgewickville, Nov. 25, 1959.

## NEBRASKA

Davenport Sale Barn, Davenport, Oct. 12, 1959.

Zimmerman Stockyards, Inc., Blair, Nov. 20, 1959.

## NEVADA

Midwest Livestock Commission Company, Fallon, Oct. 1, 1959.

Nevada Livestock Commission, Sparks, Oct. 14, 1959.

## NEW JERSEY

Burlington County Cooperative Poultry Auction Ass'n., Inc., Mt. Holly, Dec. 21, 1959.

Community Livestock Auction Co., Woodstown, Dec. 21, 1959.

Harris Sales Corporation, Woodstown, Dec. 21, 1959.

Jaeger Livestock Auction Market, Sussex, Dec. 22, 1959.

Tallman Bros. Auction, Inc., Columbus, Dec. 22, 1959.

## NORTH CAROLINA

V. R. Pugh Livestock Commission, Asheboro, Dec. 1, 1959.

## NORTH DAKOTA

Lake Region Auction Market, Devils Lake, Dec. 12, 1959.

Minot Livestock Auction, Minot, Nov. 9, 1959.

Napoleon Livestock Auction, Inc., Napoleon, Nov. 5, 1959.

## OHIO

Geauga Livestock Commission, Middlefield, Nov. 24, 1959.

Medina Livestock Auction, Medina, Nov. 24, 1959.

Oak Harbor Livestock Sales, Oak Harbor, Dec. 4, 1959.

Scioto Auction Co., Scioto, Dec. 18, 1959.

## OKLAHOMA

Farmers Livestock Exchange, Pauls Valley, Nov. 20, 1959.

Loopers Auction, Stillwater, Nov. 1, 1959.

Maxon Sales Co., Inc., Coffeyville, Oct. 14, 1959.

Ponca Livestock Auction, Ponca City, Oct. 27, 1959.

## OREGON

Baker Livestock Exchange, Baker, Oct. 15, 1959.

Enterprise Livestock Auction Co., Enterprise, Oct. 16, 1959.

La Grande Livestock Commission Co., La Grande, Oct. 26, 1959.

Northwestern Livestock Commission Co., Hermiston, Nov. 3, 1959.

Vale Livestock Commission Co., Vale, Oct. 12, 1959.

## PENNSYLVANIA

Belleville Livestock Market, Inc., Belleville, Nov. 25, 1959.

Carlisle Livestock Market, Inc., Carlisle, Nov. 27, 1959.

Chambersburg Livestock Sales, Chambersburg, Dec. 3, 1959.

Chesley's Livestock Auction, Little Hope, Dec. 9, 1959.

Coudersport Livestock Market, Inc., Coudersport, Nov. 2, 1959.

Danville Livestock Market, Inc., Danville, Nov. 23, 1959.

Dewart Livestock Market, Dewart, Nov. 24, 1959.

Enon Valley Community Sale, Enon Valley, Dec. 11, 1959.

Exton Livestock Auction, Inc., Exton, Nov. 20, 1959.

Farmers Market Auction, Ephrata, Dec. 10, 1959.

Greencastle Livestock Market, Inc., Greencastle, Dec. 3, 1959.

Hatfield Fair Grounds Bazaar, Inc., Hatfield, Nov. 19, 1959.

Jamestown Livestock Commission Market, Jamestown, Dec. 10, 1959.

Lebanon Valley Live Stock Market, Inc., Fredericksburg, Nov. 23, 1959.

Leesport Market & Auction, Leesport, Nov. 18, 1959.

Mason Dixon Livestock Market, Inc., Stewartstown, Dec. 2, 1959.

Meadville Livestock Auction, Seegertown, Dec. 9, 1959.

Montague Livestock Auction, Union City, Dec. 9, 1959.

Morrison's Cove Livestock Market, Martinsburg, Dec. 3, 1959.  
 Mount Cobb Auction Sales, Mount Cobb, Nov. 5, 1959.  
 New Wilmington Livestock Auction, New Wilmington, Dec. 10, 1959.  
 Nicholson Sales Co., Nicholson, Nov. 4, 1959.  
 Perkiomenville Sales Stables, Inc., Perkiomenville, Nov. 19, 1959.  
 Quakertown Livestock Sale, Quakertown, Nov. 18, 1959.  
 Showalter's Livestock Exchange, Duncansville, Dec. 3, 1959.  
 Silver Spring Livestock Market, Inc., Mechanicsburg, Nov. 27, 1959.  
 Valley Stock Yards, Inc., Athens, Nov. 3, 1959.  
 Vintage Sales Stables, Inc., Paradise, Oct. 26, 1959.  
 Wayne County Livestock Exchange, Inc., Honesdale, Nov. 4, 1959.  
 West Alexander Livestock Auction Market, West Alexander, Nov. 5, 1959.  
 Wyalusing Sale, Wyalusing, Nov. 4, 1959.  
 York Livestock Market, Inc., York, Dec. 2, 1959.

TEXAS

Cotulla Livestock Commission Company, Cotulla, Nov. 17, 1959.  
 North Texas Livestock Commission Company, Bonham, Oct. 8, 1959.  
 Smithville Livestock Commission Co., Smithville, Oct. 30, 1959.  
 Wharton Livestock Commission Co., Wharton, Oct. 26, 1959.  
 Wood County Livestock Auction Company, Mineola, Dec. 18, 1959.

UTAH

Smithfield Livestock Auction, Inc., Smithfield, Oct. 24, 1959.  
 Southern Utah Auction Co., Cedar City, Oct. 26, 1959.  
 Spanish Fork Livestock Auction Co., Spanish Fork, Oct. 24, 1959.  
 Vernal Livestock Auction Co., Vernal, Oct. 23, 1959.

VERMONT

Brooks Sales Stables, Bellows Falls, Nov. 16, 1959.  
 Crosby's Livestock Commission Sale, Leicester Junction, Nov. 20, 1959.  
 Hicks Commission Sales & Co., Morrisville, Nov. 18, 1959.  
 Orleans Commission Sales, Orleans, Nov. 18, 1959.  
 St. Albans Commission Sales, St. Albans, Nov. 19, 1959.  
 Vergennes Livestock Commission Sales, Vergennes, Nov. 19, 1959.

WASHINGTON

Coulee City Auction, Coulee City, Oct. 27, 1959.  
 Davenport Livestock Auction Co., Davenport, Oct. 13, 1959.  
 Deer Park Livestock Auction Co., Deer Park, Oct. 1, 1959.  
 Enumclaw Sales Pavilion, Enumclaw, Jan. 2, 1960.  
 Grange Commission & Livestock Co., Auburn, Oct. 16, 1959.

WEST VIRGINIA

Alderson Livestock Market, Inc., Alderson, Nov. 3, 1959.  
 Bluegrass Market, Inc., Caldwell, Nov. 3, 1959.  
 Blue Ridge Livestock Sales, Inc., Charles Town, Nov. 10, 1959.  
 Bridgeport Live Stock Sales Co., Bridgeport, Nov. 9, 1959.  
 Buckhannon Stockyards, Buckhannon, Nov. 2, 1959.  
 Evans Stockyard, Inc., Elkins, Nov. 2, 1959.  
 Gassaway Livestock Market, Inc., Gassaway, Nov. 4, 1959.  
 Greenbrier Valley Stockyards, Inc., Ronceverte, Nov. 3, 1959.  
 Jackson County Livestock Market, Inc., Ripley, Nov. 4, 1959.

Mannington Live Stock Sales Co., Inc., Mannington, Nov. 9, 1959.  
 Morgantown Livestock Market Inc., Morgantown, Nov. 9, 1959.  
 Moundsville Livestock Auction Co., Moundsville, Nov. 6, 1959.  
 Pocahontas Producers Coop. Ass'n., Inc., Marlinton, Nov. 2, 1959.  
 Point Pleasant Livestock Co., Inc., Point Pleasant, Nov. 5, 1959.  
 Ritchie County Livestock Sales Co., Inc., Lambertson, Nov. 6; 1959.  
 South Branch Stockyards, Inc., Moorefield, Nov. 10, 1959.  
 Terra Alta Stockyard, Inc., Terra Alta, Nov. 9, 1959.  
 Union Livestock Sales Co., Parkersburg, Nov. 5, 1959.

Done at Washington, D.C., this 21st day of January 1960.

DAVID M. PETTUS,  
 Director, Livestock Division,  
 Agricultural Marketing Service.

[F.R. Doc. 60-788; Filed, Jan. 26, 1960; 8:48 a.m.]

Office of the Secretary  
 NORTH DAKOTA

Designation of Area for Production  
 Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2 (a)), as amended, it has been determined that in the following counties in North Dakota a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

North Dakota

Bowman  
 Slope

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after June 30, 1960, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 21st day of January 1960.

TRUE D. MORSE,  
 Acting Secretary.

[F.R. Doc. 60-790; Filed, Jan. 26, 1960; 8:49 a.m.]

WISCONSIN

Designation of Area for Production  
 Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in the entire State of Wisconsin a production disaster has caused a need for agricultural credit to cranberry growers not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named State after June 30, 1960, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 21st day of January 1960.

TRUE D. MORSE,  
 Acting Secretary.

[F.R. Doc. 60-791; Filed, Jan. 26, 1960; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket No. 889]

UNAPPROVED SECTION 15 AGREEMENT—NORTH ATLANTIC/BALTIC TRADE

Notice of Investigation, of Hearing,  
 and of Prehearing Conference

On January 15, 1960, the Federal Maritime Board entered the following orders:

It appearing from information before the Board that an agreement within the contemplation of section 15 of the Shipping Act, 1916 (46 U.S.C. 814) controlling, regulating, preventing, or destroying competition; restricting or regulating the character of sailings between ports; or in other manner providing for an exclusive, preferential, or cooperative working arrangement, may have been made during 1958 or prior thereto, affecting westbound trade from Gothenburg, Sweden, to the United States North Atlantic Coast, by Moore-McCormack Lines and Swedish American Lines; and

It further appearing that the purported agreement referred to in the first paragraph above has not been filed for approval under said section 15 nor approved thereunder and may have been carried out;

Now therefore, it is ordered, That an investigation is hereby instituted to determine whether any of the persons named above have carried out before approval under said section 15 any agreement requiring such approval, in violation of section 15; and

It is further ordered, That all persons named above are made respondents in this proceeding which is to be set for hearing before an examiner from the Hearing Examiners' Office at a time and place to be announced; and

It is further ordered, That a copy of this order be served on each of the respondents and published in the FEDERAL REGISTER.

Notice is hereby given that, in accordance with Rule 6(d) of the Board's rules of practice and procedure, 46 CFR § 201.94, a prehearing conference in this proceeding will be held before Examiner C. B. Gray on February 10, 1960, at 2 p.m., in Room 4519, New General Accounting Office Building, 441 G Street NW., Washington, D.C. Thereafter a public hearing will be scheduled at a date and place to be announced. Said

hearing will be conducted in accordance with the above rules, and a recommended decision will be issued by the examiner.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies), having an interest in this proceeding and desiring to intervene therein, should notify the Secretary, Federal Maritime Board, promptly and file petitions for leave to intervene in accordance with Rule 5(n), 46 CFR § 201.74, of the above rules.

Dated: January 22, 1960.

By order of the Federal Maritime Board.

JAMES L. PIMPER,  
Secretary.

[F.R. Doc. 60-804; Filed, Jan. 26, 1960;  
8:51 a.m.]

[Docket No. 890]

### UNAPPROVED SECTION 15 AGREEMENT; SPANISH/PORTUGUESE TRADE

#### Notice of Investigation, of Hearing, and of Prehearing Conference

On January 15, 1960, the Federal Maritime Board entered the following order:

It appearing, that during the period 1950 through the present time, the following common carriers by water in the trade between the United States on the one hand and Spain and/or Portugal on the other hand, may have entered into informal understandings and arrangements fixing and controlling rates and fares, pooling and/or apportioning cargoes, ports of call, and sailings in said trade, and may have entered into agreements and understandings affecting said trade within the meaning of section 15 of the Shipping Act, 1916, as amended (46 U.S.C. 814), fixing or regulating transportation rates or fares; giving or receiving special rates, accommodations, or other special privileges or advantages; controlling, regulating, preventing, or destroying competition; pooling or apportioning earnings, losses, or traffic; allotting ports or restricting or otherwise regulating the number and character of sailings between ports; limiting or regulating the volume or character of freight or passenger traffic to be carried; or providing for an exclusive, preferential, or cooperative working arrangement, all affecting the trade between the United States on the one hand and Spain and/or Portugal on the other hand:

American Export Lines, Inc.  
Fabre Line, Compagnie de Navigation Fraissinet et Cyprien Fabre, Fraissinet & Cyprien Fabre Navigation Company, Compagnie de Navigation Cyprien Fabre, Compagnie Francaise de Navigation a Vapeur.  
Concordia Line—Joint Service of:  
Dampskibsaktieselskabet Alaska.  
Aktieselskabet Atlas.  
Dampskibsaktieselskabet Idaho.  
Skipsaksjeselskapet Hilda Knudsen.  
Skipsaksjeselskapet Samuel Bakke.  
Compania Espanola de Navegacion Maritima, S.A.

Compania Transatlantica Espanola S.A. (Spanish Line).  
Compania Transatlantica (Spanish Royal Mail Line).  
Ybarra & Company (Ybarra Line).  
Naviera Aznar, S.A.

It further appearing that the foregoing agreements within the purview of said section 15 have not been filed with the Federal Maritime Board for approval, and have not been approved as required by said section; and

It further appearing that the aforesaid carriers may have effectuated and carried out such agreements prior to approval in violation of said section 15;

Now therefore, it is ordered, That an investigation is hereby instituted to determine whether such agreements have been entered into and carried out prior to approval in violation of said section 15; and

It is further ordered, That all persons named above are hereby made respondents in this proceeding, which is to be set for hearing before an examiner from the Hearing Examiners' Office, at a time and place to be announced; and

It is further ordered, That a copy of this order be served on each of the respondents and published in the FEDERAL REGISTER.

Notice is hereby given that, in accordance with Rule 6(d) of the Board's rules of practice and procedure, 46 CFR § 201.94, a prehearing conference in this proceeding will be held before Examiner Charles E. Morgan on February 24, 1960, at 10 a.m., in Room 4519, New General Accounting Office Building, 441 G Street NW., Washington, D.C. Thereafter a public hearing will be scheduled at a date and place to be announced. Said hearing will be conducted in accordance with the above rules, and a recommended decision will be issued by the examiner.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies), having an interest in this proceeding and desiring to intervene therein, should notify the Secretary, Federal Maritime Board, promptly and file petitions for leave to intervene in accordance with Rule 5(n), 46 CFR § 201.74, of the above rules.

Dated: January 22, 1960.

By order of the Federal Maritime Board.

JAMES L. PIMPER,  
Secretary.

[F.R. Doc. 60-805; Filed, Jan. 26, 1960;  
8:51 a.m.]

### RATES, CHARGES, AND PRACTICES OF CARRIERS ENGAGED IN TRADES BETWEEN THE UNITED STATES AND SPAIN/PORTUGAL

#### Notice of Investigation, of Hearing, and of Prehearing Conference

On January 15, 1960, the Federal Maritime Board entered the following order:

It appearing that during the period 1950 through the present time, the fol-

lowing named common carriers by water may have granted concessions and/or paid commissions, rebates, and/or other fees to shippers, consignors, consignees, forwarders and/or brokers in connection with carriage of cargoes in the trade between the United States on the one hand, and Spain and/or Portugal on the other hand:

American Export Lines, Inc.  
Fabre Line, Compagnie de Navigation Fraissinet et Cyprien Fabre, Fraissinet & Cyprien Fabre Navigation Company, Compagnie de Navigation Cyprien Fabre, Compagnie Francaise de Navigation a Vapeur.  
Concordia Line—Joint Service of:  
Dampskibsaktieselskabet Alaska.  
Aktieselskabet Atlas.  
Dampskibsaktieselskabet Idaho.  
Skipsaksjeselskapet Hilda Knudsen.  
Skipsaksjeselskapet Samuel Bakke.  
Compania Espanola de Navegacion Maritima, S.A.  
Compania Transatlantica Espanola S.A. (Spanish Line).  
Compania Transatlantica (Spanish Royal Mail Line).  
Ybarra & Company (Ybarra Line).  
Naviera Aznar, S.A.

It further appearing that such practices may have given undue or unreasonable preference or advantage to a particular person, locality or description of traffic or have subjected a particular person, locality, or description of traffic to an undue or unreasonable prejudice or disadvantage or may have allowed a person to obtain transportation for property at less than the regular rates or charges then established and enforced on the line of such carrier by an unjust or unfair device or means in violation of section 16 of the Shipping Act, 1916, as amended (46 U.S.C. 815); and

It further appearing that such practices may have resulted in the demanding, charging, or collecting of a rate, fare, or charge which was unjustly discriminatory between shippers or ports, or unjustly prejudicial to exporters of the United States as compared with their foreign competitors, in violation of section 17 of the Shipping Act, 1916, as amended (46 U.S.C. 816);

Now, therefore, it is ordered, That an investigation is hereby instituted to determine whether the foregoing activities have been carried out in violation of said sections 16 and 17; and

It is further ordered, That all persons named above are hereby made respondents in this proceeding, which is to be set for hearing before an examiner from the Hearing Examiners' Office, at a time and place to be announced; and

It is further ordered, That a copy of this order be served on each of the respondents and published in the FEDERAL REGISTER.

Notice is hereby given that, in accordance with Rule 6(d) of the Board's rules of practice and procedure, 46 CFR § 201.94, a prehearing conference in this proceeding will be held before Examiner Edward C. Johnson on February 23, 1960, at 10 a.m., in Room 4519, New General Accounting Office Building, 441 G Street NW., Washington, D.C. Thereafter a public hearing will be scheduled at a date and place to be announced. Said hearing will be conducted in accordance with

the above rules, and a recommended decision will be issued by the examiner.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies), having an interest in this proceeding and desiring to intervene therein, should notify the Secretary, Federal Maritime Board, promptly and file petitions for leave to intervene in accordance with Rule 5(n), 46 CFR § 201.74, of the above Rules.

Dated: January 22, 1960.

By order of the Federal Maritime Board.

JAMES L. PIMPER,  
Secretary.

[F.R. Doc. 60-807; Filed, Jan. 26, 1960;  
8:51 a.m.]

**Maritime Administration**

[Docket No. S-104]

**MOORE-McCORMACK LINES, INC.**

**Notice of Application and of Hearing**

Notice is hereby given of the application of Moore-McCormack Lines, Inc., for written permission of the Maritime Administrator, under section 805(a) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1223, for its owned vessel, the "SS Robin Kirk", which is under time charter to States Marine Lines to engage in one intercoastal voyage commencing at United States North Pacific ports on or about February 8, 1960, to load a full cargo of lumber and/or lumber products for discharge at United States Atlantic ports. This application may be inspected by interested parties in the Office of Government Aid, Maritime Administration.

A hearing on the application has been set before the Maritime Administrator for February 3, 1960, at 9:30 a.m., e.s.t., in Room 4519, General Accounting Office Building, 441 G Street NW., Washington 25, D.C. Any person, firm, or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) must, before the close of business on February 2, 1960, notify the Secretary, Maritime Administration in writing, in triplicate, and file petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief. Notwithstanding anything in Rule 5(n) of the rules of practice and procedure, Maritime Administration, petitions for leave to intervene received after the close of business on February 2, 1960, will not be granted in this proceeding.

Dated: January 25, 1960.

JAMES L. PIMPER,  
Secretary.

[F.R. Doc. 60-837; Filed, Jan. 26, 1960;  
8:53 a.m.]

No. 18—3

**Office of the Secretary**

**AGENCIA COMERCIAL "PROGRESO" (ACP) AND STANLEY HO**

**Appeals Board Decision**

In the matter of Agencia Comercial "Progreso" (ACP) Stanley Ho, 443/455 Alexandra House, P.O. Box 2713 Hong Kong, Appeals Board Docket No. FC-53, B.F.C. Case No. 262.

Stanley Ho, on behalf of his company and himself, appealed from an Order, dated August 4, 1959, issued by the Director, Office of Export Supply, Bureau of Foreign Commerce (24 F.R. 6379, 8/7/59). The Order denied to them all United States export privileges so long as United States export controls shall be in effect. Mr. Ho, on behalf of appellants, notified the Board that they would not present their appeal in person nor be represented by counsel, but would rest their appeal on their answer (with documents) to the charges, which are contained in the record of the case, and their letter of appeal.

The Board has carefully reviewed the appeal, the record, the Order, and the Compliance Commissioner's Report and Recommendations.

The Denial Order from which Mr. Ho and his firm are appealing stated in substance that in 1956 and 1957 they purchased quantities of a United States origin commodity, gilsonite, from a West German supplier, and had the consignments shipped from West Germany to Communist China, despite their knowledge that such sales and deliveries were contrary to United States export control regulations.

Appellants admittedly knew that United States law prohibited the disposition of U.S. origin goods to Sino-Soviet bloc destinations without prior U.S. authorization. They claimed, however, that because the West German Government licensed the shipments of gilsonite from that country to Communist China, appellants assumed the transactions were likewise approved by U.S. authorities in West Germany. They further indicated that, even if they were wrong in such assumption, since gilsonite is not a strategic commodity and since they had no prior warning from U.S. authorities of the seriousness of this type of violation, the denial to them of U.S. export privileges for the duration of export controls was too severe.

The record does not support appellants' contentions. On the contrary, it shows that only seven months prior to their embarking upon the gilsonite transactions, appellants were involved in other dealings with the same West German supplier concerning another U.S. origin commodity, butanol, for shipment to Communist China. It also shows that with respect to such earlier dealings, appellants were specifically informed by the United States Consulate General in Hong Kong that it was a violation of U.S. export controls for any U.S. origin goods

to be disposed of by them to Communist China, even if the goods were non-strategic in nature and were obtained by appellants from a third country. Appellants were further notified that another such violation of the U.S. export control law would subject them to a denial of their U.S. export privileges.

Furthermore, the record indicates that the West German supplier of gilsonite specifically notified appellants that the United States Government considered all of its products as forbidden for Communist China, as they both knew from the earlier butanol transactions. Even without such notifications, it would appear that appellants should have known from their position in the Hong Kong trading community that the United States has embargoed all U.S. commodities for Communist China since 1950.

The Board does not agree with appellants' claim that they were under the impression the West German licensing was equivalent to United States authorization for exportation to Communist China. Since appellants knew that the butanol was similarly licensed by West Germany for shipment to Communist China, and was also non-strategic in nature, appellants must have recognized that the gilsonite transactions were subject to the same restrictions of U.S. law. And, in light of the prior recent warning from the U.S. Consulate General indicated above, the record indicates that appellants in the gilsonite transactions acted in wilful disregard of United States controls.

Appellants also claim that they were only agents in the gilsonite transactions and should not be responsible for offenses which their principals may have committed. However, the record shows that Mr. Ho and Agencia Comercial Progreso conducted themselves as principals, rather than agents. They conducted all negotiations as to the gilsonite and other commodities with, ordered the goods from, and gave the shipping and financing instructions to, their West German supplier. They referred in correspondence to their clients in China and their bankers. The only part which the so-called principal, Gibson Hong, of Hong Kong, played was as the party in whose name the letters of credit were opened. Appellants even referred to Gibson Hong as an associated company.

The Board has carefully considered the record and all contentions made by appellant and finds no basis for modifying the provisions of the Denial Order, as requested by appellants.

Accordingly, in view of the foregoing, this appeal is denied.

GRISWOLD FORBES,  
Chairman, Appeals Board.

JANUARY 19, 1960.

[F.R. Doc. 60-803; Filed, Jan. 26, 1960;  
8:51 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-142]

### REGENTS OF THE UNIVERSITY OF CALIFORNIA

#### Amendment to Construction Permit

Please take notice that the Atomic Energy Commission has issued to The Regents of the University of California Amendment No. 1, set forth below, to Construction Permit No. CPRR-42 extending the earliest and latest dates for completion of construction of the nuclear reactor facility to be located on the University's campus at Los Angeles, California, to June 30, 1960, and September 30, 1960, respectively.

Dated at Germantown, Md., this 21st day of January, 1960.

For the Atomic Energy Commission.

R. L. KIRK,  
Deputy Director, Division of  
Licensing and Regulation.

[Construction Permit No. CPRR-42; Amdt. 1]

Condition 1. of Construction Permit No. CPRR-42, is hereby amended by changing the first and second sentences thereof to read as follows:

The earliest date for completion of the facility is June 30, 1960. The latest date for completion of the facility is September 30, 1960.

Date of issuance: January 21, 1960.

For the Atomic Energy Commission.

R. L. KIRK,  
Deputy Director, Division of  
Licensing and Regulation.

[F.R. Doc. 60-771; Filed, Jan. 26, 1960;  
8:45 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. RI60-59]

### HARRY W. BASS

#### Order Providing for Hearing, Suspending Proposed Increased Rate, and Allowing Increased Rate to Become Effective

JANUARY 20, 1960.

On December 21, 1959, Harry W. Bass (Bass) tendered for filing a proposed change in his presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change dated December 17, 1959.

Purchaser: Arkansas Louisiana Gas Company (Arkansas Louisiana).

Field: Ada Field, Webster Parish, Louisiana.

Rate schedule designation: Supplement No. 11 to Bass' FPC Gas Rate Schedule No. 1.

Proposed rate: 12.410 cents per Mcf.

Effective date: January 21, 1960. (The stated effective date is the first day after expiration of the required thirty days' notice.)

The proposed periodic increased rate contains a Louisiana severance tax reimbursement of 1.3 cents per Mcf. On January 18, 1960, Arkansas Louisiana protested Bass' proposed change in rate insofar as the change provides for 1.3 cents per Mcf severance tax reimbursement. Arkansas Louisiana states that the proper severance tax reimbursement is 1.15 cents per Mcf.

The contract comprising Bass' FPC Rate Schedule No. 1 provides that, if the severance tax be at a rate greater than 2.0 cents per Mcf, either the buyer or the seller may cancel the contract; provided, however, that the party upon which the notice of cancellation is served may continue the contract in effect by agreeing to absorb that part of the tax in excess of 2.0 cents per Mcf. By letter of April 9, 1959, Bass exercised his right to cancel the contract on the basis of the aforementioned contract provision. By letter of April 13, 1959, Arkansas Louisiana exercised its right to continue the contract in effect by absorbing that part of the tax in excess of 2.0 cents per Mcf.

In its protest, Arkansas Louisiana states that presumably Bass' position is that Arkansas Louisiana is obligated to reimburse Bass for one half of the 2.0 cents increase, while also being obligated to pay all of the tax in excess of 2.0 cents. However, Arkansas Louisiana alleges that its obligation is to reimburse Bass 50 percent of the 1.7 cents increase in severance tax from 0.3 cent to 2.0 cents and 100 percent of the total amount of severance tax in excess of 2.0 cents or a total reimbursement of 1.15 cents per Mcf.

In consideration of this controversy over the proper interpretation of the tax reimbursement provision of the contract, and in order to assure appropriate refund in the event Arkansas Louisiana's interpretation thereof is correct, it is deemed advisable to suspend the aforesaid proposed increased rate and charge until January 22, 1960, and thereafter to permit it to become effective as of that date; provided that within 20 days from the date of this order Bass shall file with the Secretary of the Commission an appropriate undertaking to assure such refund as may be ordered.

The rates, charges, classifications, and services contained in the aforesaid Supplement No. 11 may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that Respondent's proposed increased rate be made effective as hereinafter provided and that Respondent be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 11 to Respondent's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, Supplement No. 11 to Respondent's FPC Gas Rate Schedule No. 1 be and it hereby is suspended and the use thereof deferred until January 22, 1960, and until such further time as it is made effective in the manner hereinafter prescribed.

(C) The rate, charge, and classification set forth in Supplement No. 11 to Respondent's FPC Gas Rate Schedule No. 1 shall be effective as of January 22, 1960: *Provided, however,* That within 20 days from the date of this order, Respondent shall execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Respondent shall refund at such times and in such amounts to the persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of the increased rates found by the Commission in this proceeding not justified, together with interest thereon at the rate of six percent per annum from the date of payment to Respondent until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the increased rates or charges allowed by this order to become effective, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and one (1) copy), in writing and under oath, to the Commission monthly, or quarterly if Respondent so elects, for each billing period, and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rates in effect immediately prior to the date upon which the increased rates allowed by this order become effective, and under the rates allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance hereof, Respondent shall execute and file in triplicate with the Secretary of this Commission its written agreement and undertaking to comply with the terms of paragraph (D) hereof, signed by Respondent, or, if Respondent is a corporation, signed by a responsible officer thereof and evidenced by proper authority from the board of directors, as follows:

*Agreement and Undertaking of (Name of Respondent) To Comply With the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order Making Effective Proposed Rate Changes*

In conformity with the requirements of the order issued (Date) in Docket No. -----

(Name of Respondent) hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which is appended hereto<sup>1</sup>.

Attest: \_\_\_\_\_  
By \_\_\_\_\_

<sup>1</sup> If a corporation.

As a further condition of this order, Respondent shall file with said agreement and undertaking a certificate showing service of copies thereof upon all purchasers under the rate schedule involved.

(F) If Respondent shall, in conformity with the terms and conditions of paragraph (D) of this order, make the refunds as may be required by order of the Commission, the undertaking shall be discharged; otherwise, it shall remain in full force and effect.

(G) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until the period of suspension has expired, unless otherwise ordered by the Commission.

(H) Interested state commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission,

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-795; Filed, Jan. 26, 1960;  
8:50 a.m.]

[Docket No. G-7873]

**COASTAL STATES GAS PRODUCING CO.<sup>1</sup>**

**Notice of Application and Date of Hearing**

JANUARY 20, 1960.

Take notice that Gas Gathering Company (Gathering), predecessor-in-interest to the present applicant, Coastal States as Producing Company (Coastal States), filed on December 3, 1954, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the continued operation of certain pipelines, compressors and other facilities, used for transportation of natural gas in interstate commerce, all as more fully described in the application on file with the Commission and open to public inspection.

Coastal States transports and delivers natural gas produced from the South Cottonwood Creek Field, DeWitt County, Texas for the account of certain producers in the field, which producers are

<sup>1</sup> Successor to Gas Gathering Company.

selling such gas in interstate commerce for resale for ultimate public consumption to Texas Eastern Transmission Corporation (Texas Eastern). Deliveries are made by Coastal States in the field into Texas Eastern's transportation facilities. The producers whose gas is transported by Coastal States are as follows: Sunray Mid-Continent Oil Company (formerly Sunray Oil Corporation); Midstates Oil Corporation; La Gloria Oil and Gas Company; Cox & Hamon and Argo Oil Corporation; Cities Service Oil Company; The Texas Company (now Texaco Inc.); A. O. Phillips, B. F. Phillips, Sr., and Hi Oil Company; Seaboard Oil Company; Hawn Brothers, and Stanolind Oil and Gas Company (now Pan American Petroleum Corporation).

Hearing in this matter was held on June 18, 1957 but was recessed indefinitely subject to further notice.

On December 10, 1958, Coastal States amended the subject application in Docket No. G-7873 by requesting that it be substituted as applicant thereunder in place of Gathering. Coastal States recites that subsequent to the filing of the subject application by Gathering, it acquired all of Gathering's stock, and that a certificate of dissolution was filed with the Secretary of the State of Texas on May 8, 1958.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 24, 1960 at 9:30 a.m. e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 15, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-796; Filed, Jan. 26, 1960;  
8:50 a.m.]

[Docket No. G-13794]

**HILL AND HILL ET AL.**

**Notice of Application and Date of Hearing**

JANUARY 20, 1960.

Take notice that, on November 25, 1957, Hill & Hill, Operator, et al.<sup>1</sup> (Applicant), filed an application for a certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act, authorizing the sale of natural gas to Tennessee Gas Transmission Company (Tennessee) from certain leases in the Engelhard Field, Colorado County, Texas, pursuant to a gas sales contract dated September 30, 1957, on file as Hill & Hill (Operator), et al., FPC Gas Rate Schedule No. 9, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

On June 15, 1959, Applicant filed an amendment to its application seeking authorization to abandon service from the aforementioned acreage stating that water encroachment into the pay formation made it uneconomical to further produce the well and that the well on such acreage is presently shut in.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 24, 1960, at 9:30 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 15, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-797; Filed, Jan. 26, 1960;  
8:50 a.m.]

<sup>1</sup> Filing parties are: Geo. P. Hill, Houston Hill, A. W. Cherry and Cerro de Pasco Corporation.

[Docket No. DA-978-California Forest Service, United States Department of Agriculture]

### LANDS WITHDRAWN IN PROJECTS NOS. 67 AND 105

#### Vacation of Withdrawal Under Section 24 of the Federal Water Power Act and Determination Under Section 24 of the Federal Power Act

JANUARY 19, 1960.

The Forest Service, United States Department of Agriculture, in contemplation of a land exchange, has filed an application for restoration to entry, requiring a determination under section 24 of the Federal Power Act with respect to some of the following-described lands and has requested that consideration be given to the outright restoration of said lands free of all encumbrances outside of the existing project boundaries:

##### MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 9 S., R. 25 E.,  
 Sec. 7, N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 8, N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 16, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 20, NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 21, SW $\frac{1}{4}$ NW $\frac{1}{4}$ .

The above-described lands are located in isolated areas within the Sierra National Forest between Huntington and Shaver Lakes, which are units of the Big Creek development under license as Project No. 67.

The above-described lands in secs. 7, 8, and 20 were reserved pursuant to the filing on November 22, 1920, of an application for a preliminary permit for proposed Project No. 105. A subsequent application for a license for the proposed project—in the form of an application for amendment of the license for Project No. 67—was withdrawn March 26, 1928. Only those portions of the above-described lands in secs. 16, 20, and 21 which are within the project boundary of Project No. 67 were reserved pursuant to the filing on November 26, 1926, of an application for amendment of the license for Project No. 67.

Those portions of the above-described lands in secs. 16, 20, and 21 reserved in connection with Project No. 67 constitute that portion of the channel of North Fork Stevenson Creek used as a conveyance for water from Huntington Lake to Shaver Lake in connection with the operation of Project No. 67. The power potential of said lands appears to be fully utilized through the operation of Project No. 67 and the lands may be used for other purposes, as hereinafter provided, concurrently with their use for power purposes without injuring materially their power value.

Although the original plan of development for Project No. 67 contemplated use for conduit location of the above-described lands in secs. 7 and 8 reserved pursuant to the filing of the application for a preliminary permit for proposed Project No. 105, said lands are not affected by Project No. 67 as constructed and licensed. The lands have value for possible use for conduit location, but

other than this have negligible or no value for purposes of power development. The power value of the lands in sec. 20 so reserved is adequately protected by its reservation in connection with Project No. 67.

The Commission finds:

(1) The existing power withdrawal pertaining to the following-described lands under section 24 of the Federal Water Power Act pursuant to the filing of the application for a preliminary permit for proposed Project No. 105 serves no useful purpose and vacation of the withdrawal as hereinafter provided is in the public interest:

##### MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 9 S., R. 25 E.,  
 Sec. 7, N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 8, N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 20, NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

(2) A determination under section 24 of the Federal Power Act with respect to those portions of the following-described lands lying outside the project boundary of Project No. 67 as delimited on the maps designated Exhibit K, Sheets Nos. 2024 and 2043 (FPC Nos. 67-150 and 67-182), is neither necessary nor appropriate:

##### MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 9 S., R. 25 E.,  
 Sec. 16, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 20, NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 21, SW $\frac{1}{4}$ NW $\frac{1}{4}$ .

The Commission determines:

The value of the following-described lands within the project boundary of Project No. 67 as delimited on the maps designated Exhibit K, Sheets Nos. 2024 and 2043 (FPC Nos. 67-150 and 67-182), will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act, as amended, and subject to the prior rights of the licensee for Project No. 67, and its successors, to use said lands for project purposes as provided in the license for the project:

##### MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 9 S., R. 25 E.,  
 Sec. 16, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 20, NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 21, SW $\frac{1}{4}$ NW $\frac{1}{4}$ .

The lands subject to this determination remain in a withdrawn status until the Bureau of Land Management, Department of the Interior, issues a formal order of restoration.

The Commission orders:

(A) The existing power withdrawal pertaining to the lands described in finding (1) herein under section 24 of the Federal Water Power Act pursuant to the filing of the application for a preliminary permit for proposed Project No. 105 is vacated.

(B) The application insofar as it pertains to the lands described in finding (2) herein is dismissed.

By the Commission.

JOSEPH H. GUTRIDE,  
 Secretary.

[F.R. Doc. 60-798; Filed, Jan. 26, 1960; 8:50 a.m.]

[Docket No. 18313 etc.]

### MIDWESTERN GAS TRANSMISSION CO. ET AL.

#### Order Granting Rehearing and Fixing Date of Hearing

JANUARY 20, 1960.

In the matters of Midwestern Gas Transmission Company, Docket Nos. G-18313, G-18314, G-18315; Michigan Wisconsin Pipe Line Company, Docket No. G-18316; Michigan Wisconsin Pipe Line Company, Docket Nos. G-13246, G-16998; Illinois Power Company, Docket No. G-18022; Central Missouri Gas Company, Docket No. G-18304; order granting rehearing, vacating ordering paragraph O of opinion 331 insofar as it relates to central Missouri Gas Company; reopening and consolidating for further hearing Docket Nos. G-18313, G-18314, G-18315, G-18316 and Docket Nos. G-13246, G-16998, G-18022 and G-18304 permitting intervention by Missouri Midland Gas Company and fixing date of hearing.

On December 21, 1959, M. E. Dahl, doing business as Missouri Midland Gas Company, filed in Docket Nos. G-18313, G-18314, G-18315, and G-18316 an application for rehearing and reconsideration of the Secretary's action in rejecting the filing of the petitioner's petition to intervene and application for rehearing, reconsideration, abrogation, and revocation of the Commission's order therein.

Petitioner states that he is engaged in the business of selling at retail and distributing fuel in the form of liquid petroleum or propane for domestic and commercial use within the City of Kirksville, Missouri. As a competitor of Central Missouri Gas Company (Central Missouri) he was permitted to intervene in Docket No. G-18304, involving the application of Central Missouri filed pursuant to section 7(a) of the Natural Gas Act for an order directing Michigan Wisconsin Pipe Line Company (Michigan Wisconsin) to establish physical connection of its facilities with those proposed to be constructed by Central Missouri and to sell and deliver to Central Missouri natural gas for distribution in the communities of Greentop, Lancaster, Queen City and Kirksville, Missouri. Said section 7(a) application of Central Missouri was consolidated for hearing with the applications of Michigan Wisconsin in Docket Nos. G-13246 and G-16998. Petitioner participated in said consolidated proceeding which resulted in a denial by the Presiding Examiner of Central Missouri's application. Thereafter, the Commission in its order of September 30, 1959, adopted in part and reversed in part the initial decision of the Presiding Examiner and reopened the proceedings in Docket No. G-13246, et al, and ordered that section 7(a) applicants, including Central Missouri, be afforded an opportunity to present further evidence in support of their respective applications for new service.

Petitioner further alleges that during the hearing of said consolidated proceeding he was advised for the first time that Central Missouri as an intervener had pending in Docket Nos. G-18313, et

al., a request that Michigan Wisconsin be ordered to establish physical connection of its facilities with Central Missouri's proposed facilities and sell and deliver natural gas to Central Missouri for resale in Kirksville, Missouri.

Petitioner alleges that he had no notice of Central Missouri's intervention in said Docket Nos. G-18313, et al., that notice of said intervention was not published in the FEDERAL REGISTER and that, therefore, petitioner cannot be bound by the Commission's opinion No. 331 and order issued October 31, 1959, directing Michigan Wisconsin to supply gas to Central Missouri.

Petitioner alleges that on November 27, 1959 he filed in said Docket Nos. G-18313, et al., a petition to intervene and an application for rehearing, reconsideration, abrogation, and revocation of the Commission's opinion and order therein. Petitioner further states that on November 30, 1959, the Secretary of the Commission rejected the filing of said pleadings which petitioner asserts results in the denial of due process of law to the petitioner as guaranteed by the Fifth Amendment to the United States Constitution.

The Commission finds: The application of M. E. Dahl, doing business as Midland Gas Company, for rehearing and reconsideration of the Secretary's action in rejecting the filing of the petitioner's petition to intervene and application for rehearing, reconsideration, abrogation and revocation of the Commission's order filed on December 21, 1959 in Docket Nos. G-18313, G-18314, G-18315, and G-18316 should be granted as hereinafter ordered.

The Commission orders:

(A) The application of M. E. Dahl, doing business as Missouri Midland Gas Company, filed on December 21, 1959 in Docket Nos. G-18313, G-18314, G-18315, and G-18316 for rehearing of the issues presented by the request of Intervener therein, Central Missouri Gas Company, be and the same is hereby granted.

(B) Ordering paragraph O of the Commission's Opinion No. 331 and order in Docket Nos. G-18313, G-18314, G-18315, and G-18316 issued October 31, 1959 insofar as it relates to Central Missouri Gas Company is hereby vacated and set aside.

(C) The proceedings in Docket Nos. G-18313, G-18314, G-18315, and G-18316 and in Docket Nos. G-13246, G-16998, G-18022, and G-18304 with respect to Central Missouri Gas Company's intervention and section 7(a) application are hereby reopened and consolidated for the purpose of further hearing.

(D) M. E. Dahl, doing business as Missouri Midland Gas Company is hereby permitted to become an intervener in said reopened proceedings subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervener shall be limited to matters affecting asserted rights and interests as specifically set forth in his petition for leave to intervene: *And provided further,* That the admission of such intervener shall not be construed as recognition by the Commission that he might be aggrieved because of any order

or orders of the Commission entered in these proceedings.

(E) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 1, 1960 at 10:00 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C.; concerning the matters involved in and the issues presented by the application and intervention of Central Missouri Gas Company in said consolidated proceedings.

(F) In all other respects the Commission's Opinion No. 331 and its orders issued in the proceedings in Docket Nos. G-13246, et al., except insofar as such Opinion and orders relate to Central Missouri, shall remain in full force and effect.

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-799; Filed, Jan. 26, 1960;  
8:50 a.m.]

[Docket No. G-8002]

**RUTTER AND WILBANKS BROTHERS**  
**Notice of Date of Reopened Hearing**

JANUARY 20, 1960.

Take notice that Rutter and Wilbanks Brothers, Operator (Applicant), an independent producer with its principal place of business in Midland, Texas, filed on December 3, 1954, an application for a certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act, authorizing Applicant to continue the sale of natural gas to El Paso Natural Gas Company (El Paso) and Texas Gas Products Corporation (Texas Gas) (for resale to El Paso) from certain acreage in the Spraberry Trend Area, Midland and Reagan Counties, Texas, under three separate gas sales contracts dated June 10, 1954 (El Paso), March 17, 1952 and June 4, 1954 (Texas Gas), subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Hearing on this application was held on August 26, 1956 and continued indefinitely pending receipt of information as to Applicant's signatory status in relation to the Texas Gas contracts.

On June 2, 1958, Applicant filed an amendment to its original application in Docket No. G-8002 which requested:

(1) Deletion of the Texas Gas sales from the application because they fell within the scope of § 154.91(e) of the Commission's regulations.

(2) Addition of acreage to the El Paso portion of the application. This additional acreage would include approximately 7,320 additional net acres located in the Spraberry Trend Area, Midland, Upton and Reagan Counties, Texas, covered by twelve separate supplemental

agreements dated January 18, 1955, April 4, 1955, May 23, 1955, October 17, 1955, November 25, 1955, January 20, 1956, June 12, 1956, July 9, 1956, October 3, 1956, January 14, 1957, January 10, 1958, and February 24, 1958. Applicant has also filed two supplemental agreements dated April 5, 1957 and July 24, 1957, which agreements involve acreage subsequently released or assigned to other parties.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 24, 1960 at 9:30 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 15, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-801; Filed, Jan. 26, 1960;  
8:50 a.m.]

[Docket Nos. RI60-47-RI60-58]

**PURE OIL CO. ET AL.**

**Order Providing for Hearings on and Suspension of Proposed Changes in Rates<sup>1</sup>**

JANUARY 20, 1960.

In the matters of The Pure Oil Company, Docket No. RI60-47; The Pure Oil Company, et al., Docket No. RI60-48; El Paso Natural Gas Products Company, Docket No. RI60-49; El Paso Natural Gas Products Company (Operator), et al., Docket No. RI60-50; Pan American Petroleum Corporation, Docket No. RI60-51; Barbara Oil Company, Docket No. RI60-52; Continental Oil Company, Docket No. RI60-53; Union Producing Company, Docket No. RI60-54; Tide-

<sup>1</sup> This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

water Oil Company (Operator), et al., Docket No. RI60-55; Sun Oil Company (Operator), et al., Docket No. RI60-56; J. M. Huber Corporation, Docket No.

RI60-57; Petroleum, Inc. (Operator), et al., Docket No. RI60-58.

The above-named Respondents have tendered for filing proposed changes in

presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Notice of change dated—	Date tendered	Effective date unless suspended	Rate suspended until—	Cents per Mcf	
									Rate in effect	Proposed increased rate
RI60-47	The Pure Oil Co.	32	2	West Lake Natural Gasoline Co. (Vena Madre Field, Nolan County, Tex.).	Undated	12-21-59	1-22-60	1-23-60	5.5	6.9918
RI60-48	The Pure Oil Co., et al.	41	6	West Lake Natural Gasoline Co. (Vena Lucia Field, Nolan County, Tex.).	do.	12-21-59	1-22-60	1-23-60	5.5	6.9918
RI60-49	El Paso Natural Gas Products Co.	3	9	do.	12-17-59	12-21-59	1-22-60	1-23-60	5.5	6.9918
RI60-50	El Paso Natural Gas Products Co. (Operator), et al.	2	19	do.	12-17-59	12-21-59	1-22-60	1-23-60	5.5	6.9918
RI60-51	Pan American Petroleum Corp.	169	8	Skelly Oil Co. (Panhandle Field, Carson County, Tex.).	12-16-59	12-21-59	1-21-60	6-21-60	10.7458	11.7518
RI60-52	Barbara Oil Co.	3	2	Cities Service Gas Co. (Hardtner Field, Barber County, Kans.).	12-18-59	12-21-59	1-22-60	6-22-60	12.0	13.0
RI60-53	Continental Oil Co.	142	1	Tennessee Gas Transmission Co. (N. Government Wells Field, Duval County, Tex.).	12-16-59	12-21-59	1-21-60	6-21-60	12.12288	15.0952
RI60-54	Union Producing Co.	195	2	Texas Eastern Transmission Corp., (Muldon Field, Monroe County, Miss.).	12-18-59	12-21-59	1-21-60	6-21-60	19.0	19.8
		78	9	United Gas Pipe Line Co., (Greta-Tom O'Connor Field, Refugio County, Tex.).	12-21-59	12-23-59	1-2-60	7-2-60	15.0	15.5
		236	6	United Gas Pipe Line Co., (Greta Field, Refugio County, Tex.).	12-21-59	12-23-59	1-2-60	7-2-60	15.0	15.5
RI60-55	Tidewater Oil Co. (Operator), et al.	55	10	Texas Eastern Transmission Corp. (W. George West Field, Live Oak County, Tex.).	Undated	12-28-59	1-2-60	7-6-60	12.0277	14.3733
RI60-56	Sun Oil Co. (Operator), et al.	100	3	West Lake Natural Gasoline Co. (S. Lake Trammell and Nena Lucia Fields, Nolan County, Tex.).	12-22-59	12-23-59	1-22-60	1-23-60	5.5	6.9918
RI60-57	J. M. Huber Corp.	34	4	Natural Gas Pipeline Co. of America (Chunn (Morrow) Field, Hansford County, Tex.).	Undated	12-23-59	1-23-60	6-23-60	16.75936	16.96128
RI60-58	Petroleum, Inc. (Operator), et al.	8	4	Cities Service Gas Co. (Barber County, Kans.).	12-1-59	12-28-59	1-28-60	6-28-60	12.0	13.0
		4	7	Cities Service Gas Co.	12-1-59	12-28-59	1-28-60	6-28-60	12.0	13.0

<sup>1</sup> The stated effective date is the effective date proposed by respondent.

<sup>2</sup> Or, if later, until such date as is one day beyond the date the suspended resale rate of West Lake Natural Gasoline Company in Docket No. G-19156 is made effective in the manner prescribed by the Natural Gas Act, and until such further time as Respondent's supplement is made effective in the manner prescribed by the Natural Gas Act.

<sup>3</sup> Pressure base 14.65 psia.

<sup>4</sup> The stated effective date is the first day after expiration of the required thirty days' notice.

<sup>5</sup> Pressure base 15.025 psia.

<sup>6</sup> Rate in effect subject to refund in Docket No. G-17606. Also subject to the Commission's orders in Docket Nos. G-14352 and G-13811.

<sup>7</sup> Rate in effect February 5, 1960.

<sup>8</sup> Includes 0.5 cent per Mcf received by seller for dehydrating and gathering.

<sup>9</sup> Rate in effect subject to refund in Docket No. G-16396.

<sup>10</sup> Rate in effect subject to refund in Docket No. G-17939.

<sup>11</sup> Plus applicable tax reimbursement.

<sup>12</sup> Subject to Btu adjustment.

The Pure Oil Company (Pure Oil), El Paso Natural Gas Products Company (El Paso), and Sun Oil Company (Sun Oil), in support of their proposed revenue type rate increases,<sup>2</sup> cite West Lake Natural Gasoline Company's (West Lake) suspended increased rate and the contract provisions gearing their rates to the rates of West Lake. Pure Oil states that its contracts were negotiated at arm's length and that without the provisions insuring that it would receive the fair market value of the gas it would not have executed such contracts. Pure Oil also states that the increased price is just and reasonable and requests that should the Commission suspend the increased rates that the suspension period be limited to one day to prevent discrimination. El Paso also cites arm's-length bargaining and states that its increased rates are just and reasonable in all respects. Sun Oil states that its contract resulted from arm's-length bargaining and the increased price does not exceed the value of gas in the area.

Pan American Petroleum Corporation (Pan American) states that its proposed redetermined rate increase is based upon a determination of the weighted average wellhead price of gas in the Texas Panhandle Field by the Railroad Commission of Texas, and submits copies of the

Railroad Commission's announcement. Pan American also states that the contract resulted from bona fide arm's-length negotiations and that the increased price is just and reasonable, is below the current market price and that denial thereof would be inequitable, unfair and confiscatory. Respondent also cites higher rates for initial services in the area.

Barbara Oil Company (Barbara Oil) and Petroleum, Inc. (Petroleum), in support of their proposed periodic rate increases state that the contracts were negotiated at arm's length and the increases in prices are of fixed amount to occur at a definite time and are justified by increasing costs. Petroleum also states that buyer benefits from the price escalation provisions since it received initial deliveries at lower prices when its fixed costs were highest. Barbara Oil states that the increased price is just and reasonable and necessary to promote additional drilling and avoid premature abandonment of existing wells. Barbara Oil also states that it originally contemplated gas sales from leases covering about 6,749 acres but several dry holes were drilled and only two wells covering 1,123 acres are now productive, and the remaining acreage, having been thoroughly tested, has been released. Additional, Barbara Oil states that revenues from one well (School Trust) from February through October 1959, were \$2,305, indicating that such well must be considered marginal, and that loss of anticipated volume and de-

clining production have increased the need for the increase in price.

Continental Oil Company (Continental) in support of its redetermined rate increase cites the contract provisions and submits copies of Tennessee Gas Transmission Company's price redetermination letter. Continental states that the increased price does not exceed the market value nor current prices in other producer contracts and to deny such price would be discriminatory. Continental also cites higher prices for initial deliveries in the area.

Union Producing Company (Union) in support of its proposed periodic rate increases states that in contracting for long-term supplies of natural gas, purchasers have recognized the increasing expenses of producers which will occur and have provided for increased prices over such long terms to partially offset such increased expenses and encourage exploration for additional reserves. Union also cites higher initial prices in south Mississippi and states that its sale is made much closer to the consumer market than such higher priced gas and its gas is thus more valuable.

Tidewater Oil Company (Operator), et al., (Tidewater), in support of its proposed favored-nation rate increases, cites a 14.3733 cents per Mcf rate for dehydrated gas which it is collecting subject to refund from Texas Eastern Transmission Company in the area and alleges that such rate activates its contract favored-nation clauses which state in part "if at any time or times Buyer

<sup>2</sup> Based upon West Lake's favored-nation increased 13.9836 cents per Mcf resale rate which was suspended by the Commission for five months until January 22, 1960, in Docket No. G-19156.

[Project 2101]

**SACRAMENTO MUNICIPAL UTILITY DISTRICT**

**Notice of Filing of Exhibits**

JANUARY 19, 1960.

Public notice is hereby given that Sacramento Municipal Utility District, of Sacramento, California, has filed for Commission approval and inclusion in the license for water-power Project No. 2101—under construction on tributaries of the American River in El Dorado County, California—certain exhibits to establish the project boundary for the Union Valley and Junction Reservoirs under license as part of said project and located on Silver Creek, a tributary of the South Fork of the American River, in T. 12 N., R. 14 E., Mount Diablo Base and Meridian.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last date upon which protests or petitions may be filed is February 24, 1960. The exhibits are on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-802; Filed, Jan. 26, 1960; 8:51 a.m.]

**INTERSTATE COMMERCE COMMISSION**

[Notice 307]

**MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS**

JANUARY 22, 1960.

The following publications are governed by the Interstate Commerce Commission's general rules of practice (49 CFR 1.40) including Special Rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209 and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings will be called at 9:30 o'clock a.m., United States standard time unless otherwise specified.

**LIQUID AND DRY COMMODITIES**

The following applications for authority to transport liquid and dry commodities in "sealdbins" and other collapsible containers, from, to, and between points they are now authorized to serve are set for hearing on March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Leo M. Pellerzi.

**NOTICE**

Certain of these proceedings previously assigned for pre-hearing conference and published in the FEDERAL REGISTER are herein republished. Others are published herein for the first time.

shall enter into a contract for the purchase of gas or dry gas \* \* \* Tide-water further states that its subject contract resulted from arm's-length bargaining, and the favored-nation provisions were included in order that seller might receive the benefit of any increase in the commodity value of the gas over the 20-year terms of the contract, and to protect it from discrimination.

J. M. Huber Corporation (Huber) cites the contract provisions and states that the contract was negotiated at arm's length, the proposed price is not in excess of the current market price of the gas and is just and reasonable and denial thereof would be an abrogation of a private contract entered into in good faith. Huber also cites the Commission's certification of 17.0 cents prices in its Opinion No. 328.

The Commission finds:

(1) The rates and charges contained in the above-designated supplements may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in the aforesaid supplements; and that such supplements be suspended and the use thereof deferred as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed changes in rates and charges contained in the above-designated supplements.

(B) Pending hearing and decision thereon, each of the aforementioned supplements is suspended and the use thereof deferred until the date specified in the above-designated "Rate Suspended Until" column, plus footnote thereto, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 or 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-800; Filed, Jan. 26, 1960; 8:50 a.m.]

Still others previously published in the FEDERAL REGISTER and previously assigned for hearing are not republished herein. The issues in those latter proceedings may be ascertained by reference to the previous publications.

No. MC 222 (Sub No. 23), filed December 24, 1959. Applicant: LIBERTY MOTOR FREIGHT LINES, INCORPORATED, 1535 Paterson Plank Road, Seacucus, N.J. Applicant's attorneys: William B. Adams, Pacific Building, Portland 4, Oreg., and Ronald E. Poelman, 175 Linfield Drive, Menlo Park, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, including but not limited to tanks or bins known as "Sealdtanks" or "Sealdbins", whether furnished by shipper or shippers, or owned or leased by applicant, over the routes and in the territory, including all off-route and intermediate points authorized to be served in the Certificates issued in Docket No. MC 222 and Sub numbers thereunder. Applicant is authorized to conduct operations in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, and Rhode Island.

NOTE: Applicant states this application is made to enable it to continue a service to the shipping public, regardless of the merits, or demerits, of contentions relative to the nature of transportation in collapsible containers such as sealdtanks or sealdbins. Applicant further states that no duplicating authority is sought.

No. MC 263 (Sub No. 108), filed October 21, 1959. Applicant: GARRETT FREIGHT LINES, INC., 2055 Pole Line Road, Pocatello, Idaho. Applicant's attorney: Maurice H. Greene, P.O. Box 1554, Boise, Idaho. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks, drums or bins, or the equivalent thereof, including but not limited to tanks, drums or bins known as "Sealdbins", "Sealdtanks", or "Nest-a-bins", over the routes and in the territory, including all termini, intermediate and off-route points, authorized in Certificate No. MC 263 and sub numbers thereunder. Applicant is authorized to conduct operations in Colorado, New Mexico, Arizona, Utah, Wyoming, Oregon, Nevada, California, Montana, Idaho, and Washington.

No. MC 665 (Sub No. 60) (AMENDMENT), filed July 27, 1959, published in FEDERAL REGISTER issue of October 1, 1959. Applicant: MISSOURI-ARKANSAS TRANSPORTATION COMPANY, a corporation, 1505 Maiden Lane, Joplin, Mo. Applicant's attorney: James F. Miller, 10th and Wyandotte, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins or the equivalent thereof, including, but not limited

to, sealdtanks and sealdbins or sealdrums, transported in or on standard motor vehicles, from, to, and between all points applicant is authorized to serve as authorized in Certificate No. MC 665 and sub-numbers thereunder, in Missouri, Arkansas, Kansas, and Oklahoma.

No. MC 1168 (Sub No. 26), filed November 6, 1959. Applicant: THE BALTIMORE TRANSFER COMPANY OF BALTIMORE CITY, a corporation, Monument and Dean Streets, Baltimore 5, Md. Applicant's attorney: James J. Doherty, 733 Title Building, Baltimore 2, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or similar type containers, by whatever trade name known, whether furnished by shipper or shippers or owned or leased by applicant, including but not limited to those known as Sealdtanks, Sealdbins, Sealdrums, and Nest-a-bins transported in or on motor vehicles, from, to and between all points presently authorized to applicant under Certificate No. MC 1168 and MC 1168 Sub No. 24 in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia. Applicant is authorized to conduct operations in the above-specified States and the District of Columbia.

No. MC 1222 (Sub. No. 18), filed October 12, 1959. Applicant: THE REINHARDT TRANSFER COMPANY, a corporation, 1410 10th Street, Portsmouth, Ohio. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *All liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including, but not limited to those known as "Sealdtanks" or "Sealdbins," whether furnished by shipper or shippers, or owned or leased by applicant, over all routes and between all points, including all intermediate and off-route points, authorized to be served by applicant in Certificate No. MC 1222 and Subs thereunder, throughout its entire scope of operations. Applicant is authorized to conduct operations in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, Tennessee, and West Virginia.

No. MC 1263 (Sub No. 12), filed November 25, 1959. Applicant: McCARTY TRUCK LINE, INC., 729 West 15th Street, Trenton, Mo. Applicant's attorney: Frank W. Taylor, Jr., 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible or non-collapsible tanks or bins or the equivalent thereof, including but not limited to, Sealdbins and Sealdtanks and *empty containers or other incidental facilities* used in transporting the commodities specified in this application, between points over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in Illinois, Missouri, Iowa, Indiana, Nebraska, and Kansas,

under Certificate No. MC 1263. Applicant is authorized to conduct operations in the above-specified States.

No. MC 1375 (Sub No. 8), filed October 30, 1959. Applicant: BELL LINES, INC., 6414 McCorkle Avenue SE., Charleston 4, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities* in collapsible tanks or bins, or the equivalent thereof, between all points, including intermediate and off-route points, applicant is authorized to serve in the transportation of general and special commodities as authorized in Certificate No. MC 1375 and sub numbers thereunder. Applicant is authorized to conduct operations in Indiana, Kentucky, North Carolina, Ohio, Pennsylvania, South Carolina, Virginia, and West Virginia.

No. MC 1550 (Sub No. 13), filed November 4, 1959. Applicant: CHARLES HILDENBRAND AND ELIAS HILDENBRAND, a partnership, doing business as ADVANCE EXPRESS CO., 1006 South Barclay Street, Milwaukee 4, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdtanks and Sealdbins, transported in or on standard motor vehicles, between all points over the regular routes, including all intermediate and off-route points, which applicant is authorized to serve in the transportation of general commodities, with exceptions in Illinois, Indiana, Minnesota, and Wisconsin in Certificate MC 1550 and sub numbers there under. Applicant is authorized to conduct operations in the above-named states.

No. MC 1968 (Sub No. 71), filed October 14, 1959. Applicant: BRASWELL FREIGHT LINES, INC., 201 Reynolds Boulevard, El Paso, Tex. Applicant's attorney: T. S. Christopher, Continental Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities* in collapsible tanks or bins known as "Sealdtanks" or "Sealdbins", or other similar or equivalent containers by whatever name known, whether furnished by shipper or shippers, or owned or leased by applicant, transported in or on standard motor common carrier vehicles, from, to and between all points which applicant is authorized to serve in the transportation of General commodities, with certain exceptions, as authorized in Certificate No. MC 1968. Applicant is authorized to conduct operations in Texas, Louisiana, Mississippi, Oklahoma, Tennessee, and Arkansas.

No. MC 2203 (Sub No. 2), filed November 10, 1959. Applicant: NEEDES' EXPRESS INC., 25 South Manor Avenue, Kingston, N.Y. Applicant's attorney: Robert H. Griswold, Commerce Building, P.O. Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities*, including but not limited to

liquid and dry commodities, in collapsible containers including but not limited to Sealdtanks, Sealdbins and similar collapsible containers, whether furnished by shipper or owner or leased by carrier, in or upon conventional freight-carrying vehicles, over the routes and from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in New Jersey, New York, Pennsylvania, and Vermont, in its Certificate No. MC 2203. Applicant is authorized to conduct operations in New Jersey, New York, Pennsylvania, Vermont, and Delaware.

No. MC 2472 (Sub No. 4), filed October 30, 1959. Applicant: THE BLAKE MOTOR LINES, INCORPORATED, 65 Grant Street, Torrington, Conn. Applicant's attorney: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, including but not limited to those known as "Sealdtanks" or "Sealdbins" or the equivalent thereof, whether furnished by shipper or shippers, or owned or leased by applicant, transported in or on standard motor common carrier vehicles, over the routes and in the territory including all intermediate and off-route points authorized to be served by applicant in Certificate No. MC 2472 and Sub Numbers thereunder, covering the transportation of general commodities, with certain exceptions, in Massachusetts, Connecticut, New York, New Jersey, and Pennsylvania. Applicant is authorized to conduct operations in the above-specified States.

No. MC 2986 (Sub No. 20), filed November 27, 1959. Applicant: INDIANAPOLIS & SOUTHERN MOTOR EXPRESS, INC., U.S. Highway 41 South, P.O. Box 491, Vincennes, Ind. Applicant's attorney: Ferdinand Born, 1019 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities* in containers, including but not limited to sealdtank, sealdbin and Nest-a-bin containers, in or upon ordinary vehicles, between points over the routes and in the territories, including all intermediate and off-route points, authorized to be served by applicant in Certificate No. MC 2986 and sub numbers thereunder. Applicant is authorized to conduct operations in Illinois, Indiana, and Ohio.

No. MC 3005 (Sub No. 7), filed November 16, 1959. Applicant: CHICAGO-KANSAS CITY FREIGHT LINE, INC., 1609 Charlotte Street, Kansas City, Mo. Applicant's attorney: Frank W. Taylor, Jr., 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible or non-collapsible tanks or bins, or the equivalent thereof, including but not limited to, Sealdbins and Sealdtanks, and *empty containers or other such incidental facilities*, used in transporting the commodities specified in this appli-

cation over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in Illinois, Indiana, Missouri, and Kansas under Certificate No. MC 3005 and subs thereunder.

No. MC 3799 (Sub No. 11), filed October 15, 1959. Applicant: LESTER A. ELLIOTT, JR., doing business as ELLIOTT MOTOR LINES, P.O. Box 213, Winston-Salem, N.C. Applicant's attorney: Francis W. McInerney, 1625 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities* in collapsible tanks or bins, or the equivalent thereof, between all points applicant is presently authorized to serve in the transportation of general and special commodities as contained in Certificate No. MC-3799 and sub numbers thereunder in the States of Virginia, West Virginia, Pennsylvania, Maryland, and the District of Columbia.

No. MC 3833 (Sub No. 10), filed November 25, 1959. Applicant: THE NEW DIXIE LINES, INCORPORATED, Brook Road and Norwood Avenue, Richmond, Va. Applicant's attorney: James E. Wilson, 1111 E Street, NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular or irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as "Sealdtanks" or "Sealdbins", whether furnished by shipper or shippers or owned or leased by applicant, between all points which applicant is authorized to transport general commodities, with certain exceptions, in Virginia, South Carolina, North Carolina, and Georgia, in Certificate MC 3833, and in Certificate MC 60290. Applicant is authorized to conduct operations in Virginia, South Carolina, North Carolina, Maryland, and the District of Columbia.

NOTE: Applicant states it controls Joelle Motor Lines, Inc., MC 60290, through ownership of capital stock.

No. MC 5888 (Sub No. 20), filed November 10, 1959. Applicant: MID-AMERICAN TRUCK LINES, INC., 1700 West Ninth Street, Kansas City, Mo. Applicant's attorney: Wentworth E. Griffin, 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible or non-collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdbins and Sealdtanks, and *empty containers or other incidental facilities* used in transporting the commodities specified in this application, over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant, in Illinois, Indiana, Iowa, Kansas, Missouri, and Nebraska, under its Certificate MC 5888 and sub numbers thereunder. Applicant is authorized to conduct operations in the named states.

No. MC 6945 (Sub No. 27), filed November 9, 1959. Applicant: THE NATIONAL TRANSIT CORPORATION,

1687 West Fort Street, Detroit 18, Mich. Applicant's attorney: Thomas I. Wattles, Dime Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdbins and Sealdtanks, in or on standard motor vehicles, from to and between all points which applicant is authorized to serve in the transportation of general commodities, with exceptions, under its Certificate No. MC 6945 and sub numbers thereunder, in the States of Indiana, Kentucky, Michigan, and Ohio. Applicant is authorized to conduct operations in the above-named states.

NOTE: Applicant states it is a wholly-owned subsidiary of and is under common control or management with, Merchants Forwarding Company, operating pursuant to Certificate MC 6969.

No. MC 9876 (Sub No. 16), filed October 30, 1959. Applicant: NATIONAL TRANSPORTATION COMPANY, a corporation, 251 State Street Extension, Bridgeport, Conn. Applicant's attorney: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, including but not limited to those known as "Sealdtanks" or "Sealdbins" or the equivalent thereof, whether furnished by shipper or shippers, or owned or leased by applicant, transported in or on standard motor carrier vehicles, over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in Certificate No. MC 9876 and subnumbers thereunder, covering the transportation of general commodities, with certain exceptions, in Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and Rhode Island.

No. MC 10343 (Sub No. 9), filed November 16, 1959. Applicant: CHURCHILL TRUCK LINES, INC., Highway 36 West, Chillicothe, Mo. Applicant's attorney: G. M. Rebman, 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as "Sealdtanks" or "Sealdbins", whether furnished by shipper or shippers, or owned or leased by applicant, over the routes and in the territory, including all off-route and intermediate points, authorized to be served by applicant under its Certificate MC 10343 and sub numbers thereunder, covering the transportation of general commodities, with certain exceptions, in Missouri, Illinois, Iowa, and Kansas. Applicant is authorized to conduct operations in the above-named States.

No. MC 10872 (Sub No. 26), filed October 20, 1959. Applicant: BE-MAC TRANSPORT COMPANY, INC., 7400 North Broadway, St. Louis 15, Mo. Applicant's attorney: Charles M. M. Shep-

herd, 206 Brown Building, 101 South Meramec Avenue, Clayton (St. Louis) 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as Sealdbins or Sealdtanks, whether furnished by shipper or shippers or owned or leased by applicant, between the points and in the territory, including all intermediate and off-route points authorized to be served by applicant in Certificate No. MC 10872 and sub numbers thereunder, covering the transportation of general commodities, with certain exceptions, in Wisconsin, Illinois, Indiana, Missouri and Oklahoma. Applicant is authorized to conduct operations in the above-specified States. This application is accompanied by a Motion to Dismiss on the ground that applicant can lawfully handle all lading tendered to it in containers described in the application under its present general commodities authority.

No. MC 11220 (Sub No. 66), filed January 15, 1960. Applicant: GORDONS TRANSPORTS, INC., 185 W. McLemore, Memphis, Tenn. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible or rigid tanks or bins, or the equivalent thereof, including but not limited to, sealdbins and sealdtanks, from, to and between points which applicant is authorized to serve in the transportation of general commodities, in Alabama, Arkansas, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, as authorized in Certificate No. MC 11220 and subs thereunder.

No. MC 13569 (Sub No. 7), filed October 23, 1959. Applicant: THE LAKE SHORE MOTOR FREIGHT COMPANY, a corporation, 1200 South State Street, Girard, Ohio. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including, but not limited to those known as "sealdtanks" or "sealdbins", whether furnished by shipper or shippers, or owned or leased by applicant, from, to and between all points, including all intermediate and off-route points, applicant is authorized to serve in the States of New York, Ohio, Pennsylvania, and West Virginia as authorized in Certificate No. MC 13569 and sub-numbers thereunder.

No. MC 13925 (Sub No. 5), filed November 25, 1959. Applicant: MOUND CITY FORWARDING COMPANY, INC., 1517 North 15th Street, St. Louis, Mo. Applicant's attorney: Wentworth E. Griffin, 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities* in collapsible or non-collapsible tanks or bins or the equivalent thereof, including

but not limited to, Sealdbins and Sealdtanks and empty containers or other incidental facilities used in transporting the commodities specified in this application, over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in Indiana, Michigan, Wisconsin, Iowa, Illinois, Missouri, and Kansas in Certificate No. MC 13925 and sub numbers thereunder.

NOTE: Common control may be involved.

No. MC 17481 (Sub No. 19), filed November 23, 1959. Applicant: MOORE MOTOR FREIGHT LINES, INC., 2091 Kasota Avenue, St. Paul 14, Minn. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul 14, Minn. Authority sought to operate as a common carrier, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins or the equivalent thereof including, but not limited to, sealdtanks and sealdbins, transported in or on standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, and specific commodities, in Illinois, Indiana, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, in Certificate No. MC 17481 and sub numbers thereunder. Applicant is authorized to conduct operations in the above-specified States.

No. MC 19201 (Sub No. 113), filed January 7, 1960. Applicant: PENNSYLVANIA TRUCK LINES, INC., 110 South Main Street, Pittsburgh, Pa. Applicant's attorney: Robert H. Griswold, Commerce Building, P.O. Box 432, Harrisburg, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities*, including but not limited to liquid and dry commodities, in collapsible containers, including but not limited to Sealdtanks, Sealdbins and similar collapsible containers, whether furnished by shipper or owned or leased by carrier, in or upon conventional freight-carrying vehicles, over the routes and from, to and between all points in the states of New York and Pennsylvania, carrier is authorized to serve in the transportation of general commodities, with certain exceptions, pursuant to certificates issued to Buffalo Storage and Carting Company No. MC 18254 and Sub No. 6 thereunder, acquired by applicant through merger authorized in No. MC-F 6850 but not yet reissued in applicant's series in No. MC 19201.

NOTE: Dual operations and common control may be involved.

No. MC 19201 (Sub No. 115), filed January 11, 1960. Applicant: PENNSYLVANIA TRUCK LINES, INC., 110 South Main Street, Pittsburgh, Pa. Applicant's attorney: Robert H. Griswold, Commerce Building, P.O. Box 432, Harrisburg, Pa. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities*, including but not limited to liquid and dry commodities, in collapsible containers, including but not limited to

Sealdtanks, Sealdbins and similar collapsible containers, whether furnished by shipper or owned or leased by carrier, in or upon conventional freight-carrying vehicles, over the routes and from, to and between all points in the states of Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia, carrier is authorized to serve in the transportation of general commodities, with certain exceptions pursuant to certificates issued to Scott Bros., Incorporated at No. MC 35536 and Subs Nos. 39-43, 46, 48-50, inclusive, acquired by applicant through merger authorized in No. MC-F 6850 but not yet reissued in applicant's series No. MC 19201.

NOTE: Dual operations and common control may be involved.

No. MC 19201 (Sub No. 116), filed January 13, 1960. Applicant: PENNSYLVANIA TRUCK LINES, INC., 110 South Main Street, Pittsburgh, Pa. Applicant's attorney: Robert H. Griswold, Commerce Building (P.O. Box 432), Harrisburg, Pa. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities, including but not limited to liquid and dry commodities*, in collapsible containers, including but not limited to Sealdtanks, Sealdbins and similar collapsible containers, whether furnished by shipper or owned or leased by carrier, in or upon conventional freight-carrying vehicles, in service auxiliary to, or supplemental of, rail service of The Pennsylvania Railroad Company, between Ohio points, as follows: From Lebanon over Ohio Highway 123 to Morrow. From Lebanon over Ohio Highway 48 to South Lebanon. From South Lebanon over unnumbered county road to Morrow. From junction Ohio Highway 123 and county road east of Lebanon, Ohio, over county road via Oregonia, Ohio, to junction U.S. Highway 42 approximately midway between Lebanon and Waynesville, Ohio. From junction Ohio Highway 123 and unnumbered county road approximately midway between Lebanon, Ohio, and Morrow, Ohio, over unnumbered county road to junction county road described in the paragraph above. Return over the same routes. Service is not authorized to or from intermediate points, and with service at the terminal restricted to joinder only with present routes, except as otherwise authorized. Between St. Marys, Pa., and Emporium, Pa., serving all intermediate points which are stations on the line of The Pennsylvania Railroad Company: From St. Marys over U.S. Highway 120 to Emporium, and return over the same route. Between junction Pennsylvania Highway 518 and 18 (near Sharpsville, Pa.), and Greenville, Pa., serving all intermediate points which are stations on The Pennsylvania Railroad Company: From junction Pennsylvania Highways 518 and 18 over Pennsylvania Highway 18 to Greenville, and return over the same route. Between junction Pennsylvania Highway 18 and unnumbered Pennsylvania Highway (near Clark, Pa.) and Transfer, Pa., serving all intermediate points which are stations on the line of The Pennsylvania Rail-

road Company: From junction Pennsylvania Highway 18 and unnumbered Pennsylvania Highway, over unnumbered Pennsylvania Highway to Transfer, and return over the same route.

NOTE: Applicant states the foregoing route descriptions and points to be served coincide with authority held by applicant in No. MC 19201 (Sub Nos. 55 and 84). Common control may be involved.

No. MC 19553 (Sub No. 22), filed October 20, 1959. Applicant: KNOX MOTOR SERVICE, INC., P.O. Box 359, Rockford, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities* in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdtanks and Sealdbins, transported in or on standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Iowa, Wisconsin, Indiana, and Illinois, as authorized to it in Certificate MC 19553 and sub numbers thereunder. Applicant is authorized to conduct operations in Iowa, Wisconsin, Illinois, and Indiana.

No. MC 20824 (Sub No. 15), filed October 28, 1959. Applicant: COMMERCIAL MOTOR FREIGHT, INC., OF INDIANA, 111 East McCarty Street, Indianapolis, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities* in containers, including but not limited to Sealdtank, Sealdbin, and Nest-a-Bin containers in or upon ordinary vehicles, over the routes and in the territory, including all intermediate and off-route points, applicant is authorized to serve in Certificate No. MC 20824 and Sub Numbers 12 and 13 thereunder, in Illinois, Indiana, Kentucky, and Ohio. Applicant is authorized to conduct operations in the above-specified States.

No. MC 27970 (Sub No. 32), filed October 22, 1959. Applicant: CHICAGO EXPRESS, INC., 72 Fifth Avenue, New York, N.Y. Applicant's attorney: S. Harrison Kahn, 1110-14 Investment Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdtanks and Sealdbins, transported in or upon standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, Pennsylvania, the District of Columbia, West Virginia, Ohio, Indiana, Illinois, Wisconsin, Iowa, Missouri, Minnesota, Kansas, and New York, as authorized in Certificate MC 27970 and sub numbers thereunder. Applicant is also authorized to transport specific commodities in Nebraska and South Dakota.

No. MC 29555 (Sub No. 34), filed November 16, 1959. Applicant: BRIGGS

TRANSPORTATION CO., a corporation, 2360 West County Road C, St. Paul 13, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdbins and Sealdtanks, transported in or on standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Minnesota, Wisconsin, Illinois, and Indiana, as authorized to it in Certificate MC 29555 and sub numbers thereunder, and as included under MC 96750 (Minnetonka Motor Express, Inc.), in Minnesota, which applicant is presently operating and managing under authority of a grant of Temporary Authority from the Commission in MC-F-7299. Applicant is authorized to conduct operations in Minnesota, Illinois, Wisconsin, and Indiana.

No. MC 30204 (Sub No. 16), filed October 28, 1959. Applicant: HEMINGWAY BROTHERS INTERSTATE TRUCKING COMPANY, a corporation, 438 Dartmouth Street, New Bedford, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, from, to and between all points, including intermediate and off-route points, applicant is authorized to transport general commodities and special commodities, as authorized in Certificate No. MC 30204 and sub-numbers thereunder, in the States of Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, and Virginia.

No. MC 31389 (Sub No. 47), filed October 15, 1959. Applicant: McLEAN TRUCKING COMPANY, P.O. Box 213, Winston-Salem, N.C. Applicant's attorney: Francis W. McInerny, 1625 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, between all points applicant is authorized to serve in the transportation of general and special commodities under Certificate No. MC 31389 and subs thereunder. Applicant is authorized to conduct operations in the States of Connecticut, Delaware, the District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Virginia, and West Virginia.

No. MC 32562 (Sub No. 16), filed October 15, 1959. Applicant: POINT EXPRESS, INC., 3535 Seventh Avenue, Charleston, W. Va. Applicant's attorney: Francis W. McInerny, 1625 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities* in collapsible tanks or bins, or the equivalent thereof, between

all points applicant is presently authorized to serve in Certificate No. MC-32562 and subs thereunder in the States of Ohio, West Virginia, Kentucky, Pennsylvania, and Indiana.

No. MC 33278 (Sub No. 10), filed October 29, 1959. Applicant: LEE TRANSPORTATION COMPANY, a corporation, 418 Olive Street, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as Sealdtanks or Sealdbins, whether furnished by shipper or shippers or owned or leased by applicant, over the routes and in the territory including all intermediate and off-route points, authorized to be served by applicant by virtue of Certificate No. MC 33278 and Sub Numbers thereunder, covering the transportation of general commodities with certain exceptions, in Iowa, Illinois, Missouri, Arkansas, and Tennessee. Applicant is authorized to conduct operations in the above-specified States.

Note: Common control may be involved.

No. MC 33520 (Sub No. 8), filed November 6, 1959. Applicant: FOLLMER TRUCKING COMPANY, a corporation, 132 Mill Street, Danville, Pa. Applicant's attorney: Robert H. Griswold, Commerce Bldg., P.O. Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities including* (but not limited to) *liquid and dry commodities*, in collapsible containers, including but not limited to Sealdtanks, Sealdbins and similar collapsible containers, whether furnished by shipper or owned or leased by carrier, in or upon conventional freight-carrying vehicles, over the routes, and from, to, and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in the States of Maryland, New Jersey, and Pennsylvania as set forth in Certificate MC 33520 and sub numbers thereunder. Applicant is authorized to conduct operations in Maryland, New Jersey, Pennsylvania, and New York.

No. MC 33641 (Sub No. 40), filed October 13, 1959. Applicant: INTERSTATE MOTOR LINES, INC., 235 West Third South, Salt Lake City, Utah. Applicant's attorney: Bertram S. Silver, 100 Bush Street, San Francisco 4, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers and collapsible tanks, drums, or bins, or the equivalent thereof, including but not limited to tanks, drums, or bins known as Sealdtanks, Sealdbins, or Nest-a-Bins, between all points now authorized to be served by applicant under Docket No. MC 33641 and sub numbers thereunder, over all routes and in territories authorized, including all termini, intermediate and off-route points. Applicant is authorized to conduct regular route operations in Arizona, California, Colorado, Idaho, Illinois, Iowa, Kansas, Missouri,

Nebraska, Nevada, Oregon, Utah, and Wyoming, and irregular route operations in California, Colorado, Idaho, Kansas, Missouri, Nebraska, Nevada, Oregon, Washington, and Wyoming.

No. MC 36436 (Sub No. 30), filed December 10, 1959. Applicant: H. T. MOLAND, HOWARD MOLAND, CLARENCE MOLAND, AND LOTHARD MOLAND, doing business as MOLAND BROTHERS TRUCKING COMPANY, 2502 West Huron Street, Duluth, Minn. Applicant's attorney: Clarence J. Jasper, Suite 616-617 Tenney Building, 110 East Main Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, including but not limited to those known as Sealdtanks or Sealdbins, or the equivalent thereof, whether furnished by shipper or shippers, or owned or leased by applicant, transported in or on standard motor common carrier vehicles, over the routes and in the territory, including all intermediate and off-route points authorized to be served by applicant. Applicant is authorized to conduct operations in Illinois, Michigan, Minnesota, and Wisconsin.

No. MC 36832 (Sub No. 12), filed October 9, 1959. Applicant: AMERICAN TRANSIT LINES, INCORPORATED, 4535 West Adams Street, Chicago, Ill. Applicant's attorney: David Axelrod, 38 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins or the equivalent thereof including, but not limited to sealdtanks and sealdbins, transported in or on standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions in the States of Illinois, Indiana, Iowa, Nebraska, Michigan, Ohio, New York, Pennsylvania, Kentucky, Missouri, and Kansas as authorized in Certificate No. MC 36832 and subs thereunder.

No. MC 37929 (Sub No. 5), filed October 5, 1959. Applicant: WESTERN TRUCKING COMPANY, a Missouri corporation, 4560 North Second Street, St. Louis 7, Mo. Applicant's attorney: G. M. Rebman, Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof including but not limited to tanks or bins known as Sealdtanks or Sealdbins, whether furnished by shipper or shippers or owned or leased by applicant, over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in the transportation of General commodities, with certain exceptions, by virtue of Certificate No. MC 37929 and sub numbers thereunder, in the States of Missouri, Illinois, Kentucky, Ohio, and Indiana.

NOTE: Applicant has filed a Motion to Dismiss the above application on the grounds that it presently holds authority to perform the above transportation.

No. MC 38183 (Sub No. 42), filed November 18, 1959. Applicant: WHEEL-LOCK BROS., INC., 720 East Third Street, Kansas City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible or rigid tanks or bins or the equivalent thereof, including but not limited to sealed tanks and sealed bins, and *empty containers or other such incidental facilities* used in transporting the commodities specified in this application, between all points applicant is authorized to serve in the transportation of like commodities in other packages or containers at the same time, over the routes and in the territory, including all intermediate and off-route points, and as described in applicant's present authority in Certificate No. MC 38183 and sub numbers thereunder, in Indiana, Illinois, Missouri, Kansas, and Colorado. Applicant is authorized to conduct operations in the above-specified States.

No. MC 38551 (Sub No. 13), filed October 9, 1959. Applicant: RAMUS TRUCKING LINE, INC., P.O. Box 5786, 3832 Ridge Road, Cleveland, Ohio. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins or the equivalent thereof including, but not limited to, sealtanks and sealdbins, transported in or on standard motor vehicles, from, to and between, all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions in Illinois, Indiana, Ohio, Massachusetts, Rhode Island, New York, and Pennsylvania, as authorized in Certificate No. MC 38551 and subs thereunder.

No. MC 39300 (Sub No. 3), (REPUBLICATI<sup>ON</sup>) filed September 21, 1959, published FEDERAL REGISTER issue of October 28, 1959. Applicant: MIDDLE STATES MOTOR FREIGHT, INC., 5723 Este Avenue, Cincinnati 32, Ohio. Applicant's attorney: Jack B. Josselson, Atlas Bank Building, Cincinnati 2, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, of the kind presently authorized to be transported by applicant, in collapsible tanks or bins, including but not limited to those known as "Sealdtanks" or "Sealdbins", or the equivalent thereof, over all routes and between all points applicant is authorized to serve in Certificate No. MC 39300, in Ohio, Illinois, Indiana, and Kentucky.

No. MC 42261 (Sub No. 40), filed December 16, 1959. Applicant: LANGER TRANSPORT CORP., Route 1 and foot of Danforth Avenue, Jersey City, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins,

or similar type containers, by whatever trade name known, including but not limited to those known as sealdtanks, sealdbins, sealdrums, and nest-a-bins, whether furnished by shipper or shippers, or owned or leased by applicant, transported in or on motor vehicles, and *rejected shipments* of liquid and dry commodities, from, to and between all points which applicant is authorized to serve under Certificate No. MC 42261 and subs thereunder, in the States of Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia.

NOTE: Applicant indicates it proposes to transport Rejected Shipments of liquid and dry commodities on return movements.

No. MC 42289 (Sub No. 2), filed October 29, 1959. Applicant: LOMBARD BROS., INCORPORATED, 249 Mill Street, Waterbury 20, Conn. Applicant's attorney: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, including but not limited to those known as "Sealdtanks" and "Sealdbins" or the equivalent thereof, whether furnished by shipper or shippers, or owned or leased by applicant, transported in or on standard motor common carrier vehicles, over the routes and in the territory including all intermediate and off-route points authorized to be served by applicant in Certificate No. MC 42289 and sub numbers thereunder, covering the transportation of general commodities, with certain exceptions, in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania. Applicant is authorized to conduct operations in the above-specified States.

No. MC 42329 (Sub No. 141), filed October 15, 1959. Applicant: HAYES FREIGHT LINES, INC., P.O. Box 213, Winston-Salem, N.C. Applicant's attorney: Francis W. McInerney, 1625 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, between all points applicant is presently authorized to serve in the transportation of general and special commodities as contained in Certificate No. MC 42329 and sub numbers thereunder. Applicant is authorized to conduct operations in the States of Alabama, Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Texas, Vermont, West Virginia, and Wisconsin.

No. MC 42487 (Sub No. 428), filed October 30, 1959. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's

attorney: William B. Adams, Pacific Building, Portland 4, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, including but not limited to tanks or bins known as "Sealdtanks" and "Sealdbins," whether furnished by shipper or shippers, or owned or leased by applicant, over the routes and in the territory, including all intermediate and off-route points authorized to be served in Certificate No. MC 42487 and sub numbers thereunder. Applicant is authorized to conduct operations in Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming.

NOTE: Common control may be involved.

No. MC 43475 (Sub No. 43), filed October 23, 1959. Applicant: GLENDENNING MOTORWAYS, INC., 820 Hampden Avenue, St. Paul, Minn. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdtanks and Sealdbins, transported in or on standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in South Dakota, North Dakota, Minnesota, Wisconsin, Illinois, Indiana, and Iowa, as authorized to it in Certificate MC 43475 and sub numbers thereunder. Applicant is authorized to conduct operations in the above-named States.

No. MC 43654 (Sub No. 45), filed November 27, 1959. Applicant: DIXIE OHIO EXPRESS, INC., 237 Fountain Street, Akron, Ohio. Applicant's attorney: Harry McChesney, Jr., 7th Floor, McClure Building, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, except those of unusual value, Classes A and B explosives, and household goods as defined by the Commission, in containers, including but not limited to Sealdtank, Sealdbin and Nest-a-Bin containers, in or upon ordinary vehicles, over the routes, including all termini and intermediate and off-route points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Kentucky, Tennessee, Ohio, Georgia, Alabama, New York, Pennsylvania, West Virginia, Indiana, and Virginia, in Certificate MC 43654 and sub numbers thereunder. Applicant is authorized to conduct operations in the above-named States.

No. MC 44128 (Sub No. 26), filed November 25, 1959. Applicant: THE TRANSPORT CORPORATION, 126 South Main Street, Blackstone, Va. Applicant's attorney: James E. Wilson, 1111 E Street NW., Washington 4, D.C. Au-

thority sought to operate as a *common carrier*, by motor vehicle, over regular or irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as "Sealdtanks" or "Sealdbins" whether furnished by shipper or shippers, or owned or leased by applicant, between all points which applicant is authorized to transport general commodities, with certain exceptions, in Virginia, Pennsylvania, the District of Columbia, Maryland, Delaware, New Jersey, and North Carolina, in its Certificate MC 44128 and sub numbers thereunder. Applicant is authorized to conduct operations in the above-named states, and in New York, Georgia, South Carolina, Florida, Connecticut, Rhode Island, Massachusetts, Kentucky and Tennessee.

No. MC 44592 (Sub No. 19), filed November 3, 1959. Applicant: MIDDLE ATLANTIC TRANSPORTATION CO., INC., 976 West Main Street, New Britain, Conn. Applicant's attorney: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, including but not limited to those known as "Sealdtanks" or "Sealdbins", or the equivalent thereof, whether furnished by shipper or shippers, or owned or leased by applicant, transported in or on standard motor common carrier vehicles, over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in Certificate MC 44592 and sub numbers thereunder covering the transportation of general commodities, with certain exceptions, in Connecticut, Massachusetts, New York, New Jersey, Pennsylvania, Michigan, and Ohio. Applicant is also authorized to transport starch and dextrose from Wollaston and Boston, Mass., to points in Providence County, R.I.

No. MC 44605 (Sub No. 12), filed November 6, 1959. Applicant: MILNE TRUCK LINES, INC., 1000 South Third West, Salt Lake City, Utah. Applicant's attorney: Wood R. Worsley, 701 Continental Bank Building, Salt Lake City 1, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over regular or irregular routes, transporting: *Liquid and dry commodities*, in containers and collapsible tanks, drums, or bins, or the equivalent thereof, including but not limited to tanks, drums or bins known as Sealdtanks, Sealdbins, or Nest-a-Bins, between all points now authorized to be served by applicant under Docket No. MC 44605 and related sub numbers, over all routes and in all territories authorized, including all termini, intermediate and off-route points, in the states of Arizona, California, Nevada, and Utah.

NOTE: Applicant states no duplicating authority is requested by the above application.

No. MC 47389 (Sub No. 15), filed October 26, 1959. Applicant: FEDERAL TRUCK LINES, INC., 2425 South Wood Street, Chicago, Ill. Applicant's at-

torney: Ferdinand Born, 1019 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to sealdtank, sealdbin and nest-a-bin containers, in or upon ordinary vehicles, over the routes and in territories including all termini and all off-route and all intermediate points authorized to be served by applicant in Certificate No. MC 47389 and Subs thereunder, covering the transportation of general commodities, with certain exceptions, in the States of Illinois, Indiana, Kentucky, and Ohio.

No. MC 52746 (Sub No. 53), filed January 11, 1960. Applicant: KNAUS TRUCK LINES, INC., 2415 Independence Avenue, Kansas City, Mo. Applicant's attorneys: William B. Adams, Pacific Bldg., Portland 4, Ore. Ronald E. Poelman, 175 Linfield Drive, Menlo Park, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, including but not limited to tanks or bins known as "Sealdtanks" or "Sealdbins", whether furnished by shipper or shippers or owned or leased by applicant, over the routes and in the territory, including all off route and intermediate points, which applicant is authorized to serve in Certificate MC 52746 and sub numbers thereunder, in the States of Colorado, Illinois, Indiana, Iowa, Kansas, and Missouri.

No. MC 52958 (Sub No. 13), filed October 15, 1959. Applicant: HENNEPIN TRANSPORTATION CO., INC., 23 Northeast Fourth Street, Minneapolis, Minn. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins or the equivalent thereof including, but not limited to, sealdtanks and sealdbins, transported in or on standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in the States of Wisconsin, Minnesota, Illinois, Iowa, and Indiana, as authorized in Certificate No. MC 52958 and sub numbers thereunder.

No. MC 55848 (Sub No. 33), filed November 5, 1959. Applicant: HUCKABEE TRANSPORT CORP., P.O. Box 479, Columbia, S.C. Applicant's attorney: Reuben G. Crimm, 805 Peachtree Street Building, Atlanta 8, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to Sealdtanks and Sealdbins when transported in standard vehicles, over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant, in the transportation of general commodities, with certain exceptions, as authorized in Certificate No. MC 55848 and Sub Numbers thereunder, in Georgia, North Carolina, and South

Carolina. Applicant is authorized to conduct operations in the above-specified States.

No. MC 55873 (Sub No. 30), filed October 19, 1950. Applicant: GREAT AMERICAN TRANSPORT, INC., 347 Twenty-third Street, Detroit, Mich. Applicant's attorney: David Axelrod, 39 South LaSalle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdtanks and Sealdbins, transported in or on standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Indiana, Ohio, Illinois, and Michigan, as authorized to it in Certificate MC 55873 and Sub Numbers thereunder.

No. MC 59485 (Sub No. 5), filed November 28, 1959. Applicant: DARLING TRANSFER, INC., 11th and J, Auburn, Nebr. Applicant's attorney: Frank W. Taylor, Jr., 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes transporting: *Liquid and dry commodities*, in collapsible or non-collapsible tanks or bins, or the equivalent thereof, including but not limited to, Sealdbins and Sealdtanks, and *empty containers or other incidental facilities* used in transporting the commodities specified in this application, between points over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in Iowa, Nebraska, Kansas, and Missouri under Certificate No. MC 59485. Applicant is authorized to conduct operations in the above-specified States.

No. MC 59583 (Sub No. 86), filed November 19, 1959. Applicant: THE MASON & DIXON LINES, INCORPORATED, Eastman Road, Kingsport, Tenn. Applicant's attorney: Clifford E. Sanders, 321 East Center Street, Kingsport, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, including both dry and liquid*, in containers including but not limited to "Sealdtank," "Sealdbin," "Nest-a-bin," or "Tote-bin" containers in or upon ordinary vehicles, to, from and between all points which applicant is authorized to serve in Certificate No. MC 59583 and sub numbers thereunder, in Delaware, the District of Columbia, Georgia, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia.

No. MC 59957 (Sub No. 28), filed November 6, 1959. Applicant: MOTOR FREIGHT EXPRESS, a corporation, 540-50 East King Street, York, Pa. Applicant's attorney: James J. Doherty, 733 Title Building, Baltimore 2, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins or similar type containers, by whatever trade name known, including but not limited to those known as

Sealtdrums, Sealdbins, Sealdrums, and Nest-a-bins, whether furnished by shipper or shippers or owned or leased by applicant, transported in or on motor vehicles, from, to and between all points presently authorized to applicant under Certificate No. MC 59957 and Sub Numbers thereunder, in Delaware, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia. Applicant is authorized to conduct operations in the above-specified States and the District of Columbia.

NOTE: Common control may be involved.

No. MC 60393 (Sub No. 16), filed October 21, 1959. Applicant: CENTRAL TRANSFER CO., a corporation, 2118 South Griswold Street, Peoria, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealtdrums and Sealdbins, transported in or on standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Iowa, Minnesota, Wisconsin, Illinois, and Indiana, as authorized to it in Certificate MC 60393 and sub numbers thereunder. Applicant is authorized to conduct operations in Iowa, Minnesota, Wisconsin, Illinois, and Indiana.

No. MC 65580 (Sub No. 9), filed November 24, 1959. Applicant: MUSHROOM TRANSPORTATION COMPANY, INC., 6921 Castor Avenue, Philadelphia, Pa. Applicant's attorney: John C. Bradley, 618 Perpetual Building, 1111 E Street, NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities* in containers, including but not limited to "Sealtdrum" and "Sealdbin" containers, in or upon ordinary vehicular equipment, between all points over the routes and in the territory, including intermediate and off-route points, with respect to the transportation of general commodities, with certain exceptions, (a) that applicant is presently authorized to serve in Certificate No. MC 65580 and sub numbers thereunder, and (b) by reason of applications now pending in Dockets Nos. MC-F 7002 and MC-F 7081, in Delaware, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia. Applicant is authorized to conduct operations in Pennsylvania, Delaware, Maryland, Illinois, Indiana, Massachusetts, Connecticut, Rhode Island, New Jersey, New York, Maryland, and the District of Columbia.

No. MC 68715 (Sub No. 11), filed December 2, 1959. Applicant: SUMMITT FAST FREIGHT, INC., 1142 Newton Street, Akron, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to "Sealdbin" and "Sealtdrums" or

other collapsible containers, in or upon ordinary freight carrying vehicles, from, to, or between all points over the routes and in the territory applicant is authorized to serve in the transportation of general commodities, with certain exceptions, as authorized in Certificate No. MC 68715 and sub numbers thereunder, in Illinois, Indiana, Missouri, New York, Ohio, Pennsylvania, and West Virginia. Applicant is authorized to conduct operations in the above-specified States.

No. MC 68909 (Sub No. 59), filed October 19, 1959. Applicant: DECATUR-SEAWAY MOTOR EXPRESS, INC., 580 Kentucky, Indianapolis, Ind. Applicant's attorney: Lee Reeder, 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible and non-collapsible tanks or bins, or the equivalent thereof, including but not limited to, Sealdbins and Sealtdrums, and *empty containers or other incidental facilities* used in transporting the commodities specified in this application, over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in Illinois, Indiana, Kentucky, Michigan, Missouri, and Ohio under Certificate No. MC 68909 and sub numbers thereunder.

No. MC 71516 (Sub No. 65), filed January 18, 1960. Applicant: ALABAMA HIGHWAY EXPRESS, INC., 3300 Fifth Avenue South, Birmingham, Ala. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid or dry commodities*, in collapsible or rigid tanks or bins, or the equivalent thereof, including but not limited to, sealtdrums and sealdbins, from, to, and between all points which applicant is authorized to serve in the transportation of general commodities, in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Mississippi, Ohio, and Tennessee, as authorized in Certificate No. MC 71516.

No. MC 71536 (Sub No. 4), filed November 2, 1959. Applicant: ARROW CARRIER CORPORATION, 50 Moonachie Avenue, Carlstadt, N.J. Applicant's attorney: Robert H. Griswold, Commerce Building, P.O. Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities, including but not limited to liquid and dry commodities*, in collapsible containers, including but not limited to Sealtdrums, Sealdbins and similar collapsible containers, whether furnished by shipper or owned or leased by carrier, in or upon conventional freight-carrying vehicles, over the routes and from, to and between all points applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Delaware, New Jersey, New York, and Pennsylvania, in Certificate MC 71536 and sub numbers thereunder. Applicant is authorized to conduct operations in Delaware, New Jersey, New York, and Pennsylvania.

No. MC 72300 (Sub No. 30), filed October 29, 1959. Applicant: LEE-AMERICAN FREIGHT SYSTEM, INC., 418 Olive Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as Sealtdrums or Sealdbins, whether furnished by shipper or shippers, or owned or leased by applicant, over the routes and in the territory including all intermediate and off-route points authorized to be served by applicant by virtue of Certificate No. MC 72300 and Sub Numbers thereunder, covering the transportation of general commodities, with certain exceptions, in Illinois, Indiana, Michigan, Missouri, Ohio, and Wisconsin. Applicant is authorized to conduct operations in the above-specified States.

NOTE: Common control may be involved.

No. MC 78632 (Sub No. 108), filed October 22, 1959. Applicant: HOOVER MOTOR EXPRESS COMPANY, INC., P.O. Box 450, Nashville, Tenn. Applicant's attorney: Walter Harwood, Nashville Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers including but not limited to "Sealtdrum" and "Sealdbin" containers in or upon ordinary vehicular equipment, between all points applicant is presently authorized to serve in the transportation of general commodities, with the usual exceptions, as authorized in Certificate No. MC 78632 and sub numbers thereunder, in Alabama, Georgia, Illinois, Indiana, Kentucky, Missouri, Ohio, and Tennessee. Applicant is authorized to conduct operations in the above-specified States.

No. MC 80382 (Sub No. 25), filed October 22, 1959. Applicant: BROOKS TRANSPORTATION COMPANY, INC., 1301 North Boulevard, Richmond, Va. Applicant's attorney: Francis W. McInerny, 1625 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities* in collapsible tanks or bins, or the equivalent thereof, between all points, including intermediate and off-route points, applicant is authorized to conduct operations as authorized in Certificate No. MC 80382 and sub numbers thereunder, in the States of Virginia, New York, New Jersey, Pennsylvania, North Carolina, South Carolina, Maryland, Delaware, and the District of Columbia.

No. MC 85749 (Sub No. 10), filed January 15, 1960. Applicant: DECATUR TRANSIT TRUCK LINE, INC., 185 W. McLemore, Memphis, Tenn. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible or rigid tanks or bins, or the equivalent thereof, including but not limited to, sealtdrums and sealdbins, from, to, and between all points which applicant is authorized to

serve in the transportation of general commodities in Tennessee, Mississippi, Alabama, and Georgia, as authorized in Certificate No. MC 85749 and Sub numbers thereunder.

No. MC 97699 (Sub No. 12), filed October 16, 1959. Applicant: BARBER TRANSPORTATION CO., a corporation, 321 Sixth Street, Rapid City, S. Dak. Applicant's attorney: Lee Reeder, 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible or non-collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdbins and Sealdtanks, and empty containers or other such incidental facilities used in transporting the commodities specified in this application, over the routes and in the territory, including all intermediate and off-route points authorized to be served by applicant in Illinois, Indiana, Iowa, Minnesota, Nebraska, South Dakota, and Wyoming, under Certificate No. MC 97699 and Sub Numbers thereunder, and in Certificate No. MC 30857. Applicant states Certificate No. MC 30857 and the operating rights thereunder owned by C. Magnus Martinson and Irvin A. Martinson, doing business as Middlewest Nebraska Motor, has been under temporary control of applicant since January 2, 1957 and that it has filed an application seeking approval to purchase said Certificate, which application is pending in Docket No. MC-F-6450.

No. MC 97788 (Sub No. 3), filed November 2, 1959. Applicant: HAMBURGER MOTOR EXPRESS, INC., 213 Long Avenue, Elberton, Ga. Applicant's attorney: Reuben G. Crimm, 805 Peachtree Street Building, Atlanta 8, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to Sealdtanks and Sealdbins when transported in standard vehicles, over the routes, including all intermediate and off-route points, authorized to be served by applicant by virtue of Certificate No. MC 97788 (Sub No. 1), covering the transportation of general commodities, with certain exceptions, in Georgia and Alabama. Applicant is authorized to conduct operations in the above-specified States.

NOTE: Common control may be involved.

No. MC 106194 (Sub No. 10), filed November 27, 1959. Applicant: O. W. HORN, doing business as HORN TRANSPORTATION, 1119 West 24th Street, Kansas City, Mo. Applicant's attorney: Frank W. Taylor, Jr., 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and dry commodities*, in collapsible or non-collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdbins and Sealdtanks, and empty containers or other incidental facilities used in transporting the commodities specified in this application, over the routes and in the territory, including all

intermediate and off-route points, which applicant is authorized to serve in Missouri, Kansas, Nebraska, Colorado, and Oklahoma, under its Certificate MC 106194 Sub 4. Applicant is authorized to conduct operations in the above-named States.

No. MC 106456 (Sub No. 29), filed October 12, 1959. Applicant: SUPER SERVICE MOTOR FREIGHT COMPANY, INC., Fessler Lane, Nashville, Tenn. Applicant's attorney: Herbert Burstein, 160 Broadway, New York 38, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to "Sealdtank" and "Sealdbin" containers, in or upon ordinary vehicular equipment, between all points applicant is authorized to serve in the transportation of general commodities, in Certificate MC 106456 and sub numbers thereunder.

No. MC 107158 (Sub No. 8), filed November 16, 1959. Applicant: DENNIS TRUCK LINES, INC., 4622 South Bishop Street, Chicago, Ill. Applicant's Attorneys: Franklin R. Overmyer, Harris Trust Building, 111 West Monroe Street, Chicago 3, Ill. G. M. Rebman, 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible tanks and bins marketed by U.S. Rubber Company under the trade name of Sealdtanks and Sealdbins, or the equivalent thereof, between points over the regular routes and in the territory which applicant is presently authorized to serve in the transportation of general commodities, with certain exceptions, in Certificate No. MC 107158 and sub numbers thereunder, in Illinois, Indiana, Kentucky, and Ohio. Applicant is authorized to conduct operations in the above-specified States.

No. MC 107475 (Sub No. 43), filed November 3, 1959. Applicant: DANCE FREIGHT LINES, INC., 286 New Circle Road, Lexington, Ky. Applicant's attorney: Harry McChesney, Jr., 711 McClure Building, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, except those of unusual value, Classes A and B explosives, and household goods as defined by the Commission, in containers, including but not limited to Sealdtank, Sealdbin, and Nest-a-Bin containers, in or upon ordinary vehicles, over the routes, including all termini and intermediate and off-route points, applicant is authorized to serve in the transportation of general commodities (with the usual exceptions) in Certificate No. MC 107475 and Sub Numbers thereunder. Applicant is authorized to conduct operations in Georgia, Illinois, Indiana, Kentucky, North Carolina, Ohio, South Carolina, and Tennessee.

No. MC 107500 (Sub No. 44), filed October 15, 1959. Applicant: BURLINGTON TRUCK LINES, INC., 547 West Jackson Boulevard, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular

and irregular routes, transporting: *Liquid and dry commodities* in collapsible tanks or bins, including but not limited to Sealdtank, Sealdbin, whether furnished by shipper, or owned or leased by carrier, in or upon standard motor vehicles, from, to and between all points, including all intermediate and off-route points, applicant is authorized to serve in the transportation of General Commodities, with certain exceptions, in the States of Illinois, Indiana, Iowa, Missouri, Kansas, Nebraska, Colorado, Wyoming, and Montana, as authorized in Certificate No. MC 107500 and sub numbers thereunder.

No. MC 107511 (Sub No. 8), filed October 16, 1959. Applicant: INDIANAPOLIS-KANSAS CITY MOTOR EXPRESS COMPANY, 3537 Broadway, Kansas City, Mo. Applicant's attorney: Lee Reeder, 1012 Baltimore Building, Kansas City 9, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible or non-collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdbins and Sealdtanks, and empty containers or other such incidental facilities used in transporting the commodities specified in this application over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in Illinois, Indiana, Missouri, Ohio, Virginia, and West Virginia under Certificate No. MC 107511 and subs numbered thereunder.

No. MC 108586 (Sub No. 48), filed October 19, 1959. Applicant: STEFFKE FREIGHT CO., a corporation, P.O. Box 990, Wausau, Wis. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdtanks and Sealdbins, transported in or on standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Illinois, Indiana, Wisconsin, Iowa, and Minnesota, as authorized to it in Certificate MC 108586 and sub numbers thereunder.

No. MC 109265 (Sub No. 8), filed October 6, 1959. Applicant: W. L. MEAD, INC., P.O. Box 31, Cleveland Road, Norwalk, Ohio. Applicant's attorney: Walter E. Shaeffer, 44 East Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers including but not limited to Sealdtank, Sealdbin, Nest-a-bin and totebin containers, in or upon ordinary vehicles, over the routes and in the territories, including all intermediate and off-route points, authorized to be served by applicant in Certificates Nos. MC 109265 and MC 109265 (Sub No. 7) in Connecticut, Massachusetts, Ohio, and Rhode Island.

No. MC 109538 (Sub No. 12), filed October 9, 1959. Applicant: CHIPPEWA

**MOTOR FREIGHT, INC.**, 2645 Harlem Street, Eau Claire, Wis. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins or the equivalent thereof including, but not limited to, sealdtanks and sealdbins, transported in or on standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions in Wisconsin, Minnesota, Illinois, and Indiana, as authorized in Certificate No. MC 109538 and subs thereunder.

No. MC 109914 (Sub No. 16), filed November 20, 1959. Applicant: **DUNDEE TRUCK LINE, INC.**, 660 Sterling Street, Toledo 9, Ohio. Applicant's attorney: Taylor C. Burneson, 3430 Leveque-Lincoln Tower, Fifty West Board Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers of all types, including Sealdtanks, Sealdbins, and other collapsible containers in or upon ordinary freight-carrying vehicles, over regular routes, from, to, and between all points which applicant is authorized to serve, as a carrier of general commodities under and by virtue of Certificates MC 109914 and Sub numbers thereunder, which certificates authorize applicant to transport general commodities with certain specified exceptions, in the States of Ohio, Michigan, Indiana, and Illinois.

No. MC 110193 (Sub No. 39), filed November 16, 1959. Applicant: **SAFEWAY TRUCK LINES, INC.**, 4625 West 55th Street, Chicago 32, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to Sealdtanks and Sealdbins when transported in standard vehicles, and *empty containers or other such incidental facilities* used in transporting the commodities specified in this application, over the routes and in the territory authorized in applicant's Certificates Nos. MC 110193 Sub No. 25 and MC 110193 Sub No. 31 in New York, New Jersey, Pennsylvania, Illinois, Indiana, and Michigan. Applicant is authorized to conduct operations in Kansas, Nebraska, Missouri, Iowa, Illinois, Indiana, Ohio, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Colorado, Delaware, the District of Columbia, Maryland, Maine, Minnesota, Kentucky, Wisconsin, Arkansas, and Michigan.

No. MC 110325 (Sub No. 23) (AMENDMENT) filed October 13, 1959, published Page 8515, October 21, 1959 issue FEDERAL REGISTER. Applicant: **TRANSCON LINES**, a corporation, 1206 South Maple Avenue, Los Angeles 15, Calif. Applicant's attorney: Wentworth E. Griffin, 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over

regular routes, transporting: *Liquid and dry commodities*, in collapsible or non-collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdtanks and Sealdbins, and *empty containers or other incidental facilities* used in transporting the commodities specified in this application, over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in Alabama, Arkansas, Arizona, California, Georgia, Illinois, Indiana, Kansas, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, and Texas, under Certificate MC 110325, and sub numbers thereunder, and under Certificate MC 111122 (Cain's Truck Lines), leased by applicant.

No. MC 111383 (Sub No. 8), filed October 14, 1959. Applicant: **BRASWELL MOTOR FREIGHT LINES, INC.**, 201 Reynolds Boulevard, El Paso, Tex. Applicant's attorney: T. S. Christopher, Continental Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities* in collapsible tanks or bins known as "Sealdtanks" or "Sealdbins", or other similar or equivalent containers by whatever name known, whether furnished by shipper or shippers, or owned or leased by applicant, transported in or on standard motor common carrier vehicles, from, to and between all points which applicant is authorized to serve in the transportation of General Commodities, with certain exceptions, as authorized in Certificate No. MC 111383 Sub No. 5. Applicant is authorized to conduct operations in Texas, California, Arizona, and New Mexico.

No. MC 111557 (Sub No. 23), filed October 19, 1959. Applicant: **KARL E. MOMSEN**, doing business as **MOMSEN TRUCKING CO.**, Highway 71 and 18 North, Spencer, Iowa. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdtanks and Sealdbins, transported in or on standard motor vehicles, from, to and between all points applicant is authorized to serve in the transportation of general and specified commodities, in Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Missouri, Arkansas, Iowa, Illinois, Indiana, and Wisconsin, as authorized to it in Certificate MC 111557 and sub numbers thereunder.

No. MC 111871 (Sub No. 3), filed November 10, 1959. Applicant: **SOUTHEASTERN FREIGHT LINES**, a corporation, P.O. Box 5287, Five Points Station, Columbia, S.C. Applicant's attorney: Reuben G. Crimm, 805 Peachtree Street Building, Atlanta 8, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and dry commodities* in containers, including but not limited to Sealdtanks and Sealdbins when transported in standard vehicles, be-

tween points in the territory served by applicant in the transportation of general commodities, with certain exceptions, as authorized in Certificate No. MC 111871 in Georgia, North Carolina, and South Carolina.

The following are assigned to joint boards, as indicated:

No. MC 239 (Sub No. 21), filed November 2, 1959. Applicant: **ECKLAR-MOORE EXPRESS, INC.**, U.S. 62, Cynthiana, Ky. Applicant's attorney: Harry McChesney, Jr., Seventh Floor, McClure Building, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, except those of unusual value, classes A and B explosives, and household good as defined by the Commission, in containers, including but not limited to Sealdtank, Sealdbin and Nest-A-Bin containers, in or upon ordinary vehicles, over the routes, including all termini and intermediate and off-route points, applicant is authorized to serve in the transportation of general commodities, (Usual-exceptions), in Certificate MC 239 and sub numbers thereunder. Applicant is authorized to conduct operations in Ohio, Kentucky, and Indiana.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 208, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 966 (Sub No. 11), filed November 12, 1959. Applicant: **CAPITOL TRUCK LINES, INC.**, 29 Woodswether Road, Kansas City, Kans. Applicant's attorney: Wentworth E. Griffin, 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible or non-collapsible tanks or bins, or the equivalent thereof, including but not limited to, Sealdbins and Sealdtanks, and *empty containers or other incidental facilities*, used in transporting the commodities specified in this application over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in Kansas and Missouri under Certificate No. MC 966 and subs thereunder.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 36, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 986 (Sub No. 12), filed September 18, 1959. Applicant: **KANSAS NEBRASKA EXPRESS, INC.**, 1229½ Union Avenue, Kansas City 1, Mo. Applicant's attorney: Tom B. Kretsinger, Suite 1014-18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to Sealdtank, Sealdbin, Sealdrum, and Nest-A-Bin containers, in or upon ordinary vehicles, over regular routes and in the territory, including all termini

and all intermediate and off-route points, authorized to be served by applicant in Certificate No. MC 986 and sub numbers thereunder, in the transportation of general commodities, with exceptions, in Missouri, Kansas, and Nebraska.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 140, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 2136 (Sub No. 15), filed November 20, 1959. Applicant: CLEMENS TRUCK LINE, INC., 815 East Pennsylvania Avenue, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers including but not limited to Sealdtanks, Sealdbins, and nest-a-bins container in or upon ordinary vehicles, and *empty containers or other such incidental facilities*, used in transporting the above described commodities, over the routes and in the territory, including all termini and off route points authorized to be served in Certificates No. MC 2136 and Sub Numbers thereunder in the States of Michigan, Indiana, and Kentucky.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 317, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 2754 (Sub No. 11), filed December 28, 1959. Applicant: NEUENDORF TRANSPORTATION CO., a corporation, 3244 Atwood Avenue, Madison, Wis. Authority sought to operate as a common carrier, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to sealdtanks and sealdbins, transported in or on standard motor vehicles, from, to, and between all points which applicant is authorized to serve in the transportation of general commodities, in the States of Illinois, Indiana, and Wisconsin, under Certificate No. MC 2754 and all Subs thereunder. Applicant is authorized to conduct operations in Illinois, Iowa, Minnesota, and Wisconsin.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 17, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 2815 (Sub No. 17), filed January 15, 1960. Applicant: PENNTRUCK COMPANY, INC., 392 McCoy Street, Columbus, Ohio. Applicant's attorney: Robert H. Griswold, Commerce Building, P.O. Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, including but not limited to liquid and dry commodities*, in collapsible containers, including but not limited to Sealdtanks, Sealdbins and similar collapsible containers, whether furnished by shipper or owned or leased by carrier, in or upon conventional freight-carrying vehicles,

in service auxiliary to, or supplemental of rail service of The Pennsylvania Railroad Company. Between points in Indiana, as follows: From Logansport over unnumbered highways via Adamsboro, Hoovers, and Mexico, Ind., to Denver, Ind., thence over Indiana Highway 16 via Roann, Ind., to junction unnumbered highway, thence over unnumbered highways to Newton, Ind., thence over unnumbered highway to junction Indiana Highway 13, thence over Indiana Highway 13 and unnumbered highway via Liberty Mills, and South Whitley, Ind., to Columbia City, Ind. From Fort Wayne over unnumbered highway via Arcola and Coesse, Ind., to junction U.S. Highway 30, thence over U.S. Highway 30 to Columbia City, Ind., thence over unnumbered highway via Larwill, Ind., to junction Indiana Highway 13, thence over Indiana Highway 13 to Pierceton, Ind., thence over unnumbered highway via Winona Lake, Ind., to Warsaw, Ind., thence over U.S. Highway 30 to Plymouth, Ind. From Fort Wayne over Indiana Highway 3 to junction unnumbered highway, thence over unnumbered highway via Ari and Churubusco, Ind., to Collins, Ind., and return over the same route to junction Indiana Highway 3, thence over Indiana Highway 3 to Avilla, Ind., thence over Indiana Highway 8 to junction U.S. Highway 27, thence over U.S. Highway 27 to Garrett, Ind., thence over unnumbered highway to Auburn, Ind., thence over U.S. Highway 27 to Waterloo, Ind., thence over U.S. Highway 6 to Butler, Ind., and return over the same route to Auburn, thence over Indiana 427 to Fort Wayne. From Fort Wayne over U.S. Highway 27 to junction unnumbered highway approximately 5 miles from Fort Wayne. Return over these routes to the above-specified origin points. Service is authorized to and from all intermediate points except Waterloo; and the off-route points of Wallen and Moore, Ind. Between specified points in Indiana, serving all intermediate points except Waterloo; and the off-route points of Wallen and Moore, Ind., as follows: From Logansport over U.S. Highway 24 to Fort Wayne, and return over the same route. From Peru over Indiana Highway 19 to junction Indiana Highway 16, and return over the same route. From Wabash over Indiana Highway 13 to North Manchester, and return over the same route. From junction U.S. Highway 24 and Indiana Highway 114 over Indiana Highway 114 to North Manchester, and return over the same route. From Fort Wayne over Indiana Highway 14 to South Whitley, and return over the same route. From Fort Wayne over U.S. Highway 30 to junction unnumbered highway near Coesse, and return over the same route.

**NOTE:** Applicant states the foregoing route descriptions, off-route and intermediate points coincide with existing authority granted to applicant in No. MC 2815 and Sub No. 6 thereunder. Common control may be involved.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 72, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 3718 (Sub No. 3), filed December 9, 1959. Applicant: MERCHANTS TRUCKING COMPANY, a corporation, 1234 Cary Street, Norfolk, Va. Applicant's attorney: Robert H. Griswold, Commerce Bldg., P.O. Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over *regular and irregular routes*, transporting: *General commodities, including but not limited to liquid and dry commodities*, in collapsible containers, including but not limited to Sealdtanks, Sealdbins and similar collapsible containers, whether furnished by shipper or owned or leased by applicant, in or upon conventional freight-carrying vehicles, from, to and between points which applicant is authorized to serve in the transportation of general commodities, with exceptions, in Virginia, as reflected in its Certificate No. MC 3718 and Sub No. 2 thereunder. Applicant is authorized to conduct operations in Virginia.

**NOTE:** Applicant states it is one of three motor carriers controlled by the Pennsylvania Railroad Company.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 108, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 7341 (Sub No. 14), filed October 19, 1959. Applicant: FELTEN TRUCK LINE, INC., 750 North 12th Street, Salina, Kans. Applicant's attorney: Carl V. Kretsinger, Suite 1014-18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to Sealdtank, Sealdbin, Sealdrum, and Nest-A-Bin containers, in or upon ordinary vehicles, from, to and between all points, including all termini, intermediate and off-route points applicant is authorized to serve in the transportation of General Commodities, with certain exceptions, in the States of Kansas and Missouri, as authorized in Certificate No. MC 7341 and sub-numbers thereunder.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 36, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 8964 (Sub No. 14), filed December 28, 1959. Applicant: WITTE TRANSPORTATION COMPANY, a corporation, 2481 North Cleveland Avenue, St. Paul 13, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to "Sealdtank" and "Sealdbin" containers, in or upon ordinary vehicular equipment, from and to all points which applicant is authorized to serve in the transportation of general commodities, including all intermediate and off-route points, as authorized in Certificate MC 8964, in Minnesota and Wisconsin.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal

Street, Chicago, Ill., before Joint Board No. 142, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 10472 (Sub No. 19), filed October 16, 1959. Applicant: BYERS TRANSPORTATION COMPANY, INC., 4200 Gardner Avenue, Kansas City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdtanks and Sealdbins, transported in or on standard motor vehicles, between all points applicant is authorized to serve in the transportation of general commodities, in Missouri, Kansas, and Illinois.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 195, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 26621 (Sub No. 10), filed December 7, 1959. Applicant: NORTHERN TRANSPORTATION COMPANY, a corporation, 603 Liberty Street, Green Bay, Wis. Applicant's attorney: John C. Bradley, 618 Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to "Sealdtank" and "Sealdbin" containers, in or upon ordinary vehicular equipment, between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Wisconsin and Michigan. Applicant is authorized to conduct operations in Wisconsin and Michigan.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 95, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 30091 (Sub No. 39), filed August 17, 1959. Applicant: L. F. MILLER and F. D. MILLER, doing business as MILLER & MILLER MOTOR FREIGHT LINES, 1303 Iowa Park Road, Wichita Falls, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to those known as "sealdtanks" or "sealdbins", whether furnished by shipper or shippers or owned or leased by the applicant, from, to and between all points applicant is authorized to conduct operations, including all intermediate and off-route points, as authorized in Certificate No. MC 30091 and sub-numbers thereunder, in the States of Oklahoma and Texas.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 16, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 35737 (Sub No. 8), filed October 19, 1959. Applicant: CASSELL TRANSFER & STORAGE COMPANY, a corporation, 115 North Rock Island, Wichita, Kans. Applicant's attorney: Carl V. Kretzinger, Suite 1014-18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to Sealdtank, Sealdbin, Sealdrum, and Nest-A-Bin containers, in or upon ordinary vehicles, from, to and between all points, including all termini, intermediate and off-route points, applicant is authorized to serve in the transportation of General Commodities, with certain exceptions, in Kansas and Missouri, as authorized in Certificate No. MC 35737 and sub-numbers thereunder.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board 36, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 38170 (Sub No. 18), filed September 18, 1959. Applicant: WHITE STAR TRUCKING, INC., 1750 Southfield Road, Lincoln Park, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid commodities, dry commodities*, in containers, including but not limited to Sealdtanks and Sealdbins when transported in standard vehicles, over the routes and in the territory, including all off-route points and intermediate points authorized to be served by applicant in Certificate No. MC 38170 and Subs thereunder, covering the transportation of general commodities, with certain exceptions, in the States of Michigan and Ohio.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 57, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 38372 (Sub No. 4), filed November 25, 1959. Applicant: SMOCK TRANSPORTATION COMPANY, INC., 111 Jefferson, Doniphan, Mo. Applicant's attorneys: Wentworth E. Griffin and Frank W. Taylor, Jr., 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible or non-collapsible tanks or bins, or the equivalent thereof, including but not limited to, Sealdbins and Sealdtanks, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, over the routes and within the territories, including all intermediate and off-route points, authorized to be served by applicant in Illinois, Missouri, and Arkansas, under Certificate No. MC 38372 and Subs thereunder.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal

Street, Chicago, Ill., before Joint Board No. 243, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 40235 (Sub No. 19), filed October 19, 1959. Applicant: I.R.C. & D. MOTOR FREIGHT, INC., 128 South Second Street, Richmond, Ind. Applicant's attorney: Ferdinand Born, 1017-19 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to Sealdtank, Sealdbin and Nest-a-bin containers, in or upon ordinary vehicles, over the routes and serving the points set forth in Certificates MC 40235 and Sub Nos. 4 and 9 thereunder. Applicant is authorized to conduct operations throughout the United States.

**NOTE:** Applicant is authorized to transport general commodities, with certain exceptions, between specified points in Indiana and Ohio, in the above-numbered Certificates.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 60, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 43442 (Sub No. 12), filed November 12, 1959. Applicant: TRANSPORTATION SERVICE, INC., 1946 Bagley Avenue, Detroit, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdtanks and Sealdbins, transported in or on standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Michigan and Ohio, under its Certificate MC 43442 and sub numbers thereunder. Applicant is authorized to conduct operations in Michigan and Ohio.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 57, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 43676 (Sub No. 2), filed November 23, 1959. Applicant: THE DARCEY TRANSPORTATION COMPANY, INC., 18 West Dover Street, Waterbury, Conn. Applicant's attorney: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, including but not limited to those known as "Sealdtanks" or "Sealdbins", or the equivalent thereof, whether furnished by shipper or shippers or owned or leased by applicant, transported in or on standard motor common carrier vehicles, over the routes and in the territory, including all intermediate and off-route points, which applicant is authorized to serve in the transportation of general com-

modities, with certain exceptions, in Connecticut, Massachusetts, and Rhode Island, as contained in Certificate MC 43676. Applicant is authorized to conduct operations in the above-named states.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 134, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 47038 (Sub No. 18), filed November 2, 1959. Applicant: SHIP-BY-TRUCK COMPANY, a Corporation, doing business as GRAHAM SHIP-BY-TRUCK CO., 1321 West Eighth Street, Kansas City 1, Mo. Applicant's attorney: Tom B. Kretsinger, Suite 1014-18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers including but not limited to Sealdtanks, Sealdbin, Sealdrum, and Nest-A-Bin containers, in or upon ordinary vehicles, over the regular routes and territory, including all termini and all intermediate and off-route points authorized to be served by applicant in Certificate MC 47038 and subs thereunder, in the transportation of general commodities with exceptions in Missouri and Kansas.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 36, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 50034 (Sub No. 25), filed October 2, 1959. Applicant: COURIER EXPRESS, INC., 115 Montgomery Street, P.O. Box 358, Logansport, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to Sealdtanks, Sealdbins and Nest-a-Bin containers, in or upon ordinary vehicles, over the routes and in the territory, including all off-route and intermediate points, applicant is authorized to serve in Certificate MC 50034 and sub numbers thereunder, in Michigan and Indiana, and *empty containers*, on return.

**HEARING:** March 16, 1960, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 23, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 53965 (Sub No. 19), filed October 19, 1959. Applicant: GRAVES TRUCKLINE, INC., 739 North 10th Street, Salina, Kans. Applicant's attorney: Carl V. Kretsinger, Suite 1014-18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers including but not limited to Sealdtank, Sealdbin, Sealdrum, and Nest-A-Bin containers, in or upon ordinary vehicles, from, to and between all points, including all termini, intermedi-

ate and off-route points, applicant is authorized to serve in the transportation of General Commodities, with certain exceptions, in the States of Kansas and Missouri, as authorized in Certificate No. MC 53965 and sub-numbers thereunder.

**HEARING:** March 16, 1960, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 36, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 60012 (Sub No. 48), filed November 13, 1959. Applicant: RIO GRANDE MOTOR WAYS, INC., 775 Wazee Street, Denver, Colo. Applicant's attorney: Ernest Porter, 1531 Stout Street, P.O. Box 5482, Denver 17, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, including but not limited to Sealdtanks and Sealdbins, whether furnished by shipper or owned or leased by carrier, in or upon standard motor vehicles, and *empty containers or other such incidental facilities* used in transporting the commodities specified in this application, (1) from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Colorado and New Mexico, in Certificate MC 60012 and sub numbers thereunder; (2) between Denver, Colo. and the missile launching sites located approximately 23 miles east of downtown Denver, known as the Lowry Bombing and Gunnery Range; and (3) between Denver and Castle Rock, Colo., and the missile launching site which is to be located about 5 miles southeast of Elizabeth, Colo. Applicant is authorized to conduct operations in Colorado and New Mexico.

**NOTE:** Applicant states it is a wholly owned subsidiary of The Denver and Rio Grande Western Railroad Company, and also owns all stock of Larson Transportation Company, MC 68370 and 49 percent of stock of Carbon Motorway, Inc., MC 113639.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 125, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 67111 (Sub No. 12), filed January 6, 1960. Applicant: KAIN'S MOTOR SERVICE CORP., West End of Bates Street, Logansport, Ind. Applicant's attorney: Ferdinand Born, 1017-19 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to Sealdtank, Sealdbin and Nest-a-Bin containers, in or upon ordinary vehicles, over the routes and in the territories, including all termini and all off-route and intermediate points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Illinois and Indiana. Applicant is authorized to conduct operations in Illinois and Indiana.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South

Canal Street, Chicago, Ill., before Joint Board No. 21, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 68078 (Sub No. 16), filed December 9, 1959. Applicant: CENTRAL MOTOR EXPRESS, INC., 2909 South Hickory Street, Chattanooga, Tenn. Applicant's attorney: Blaine Buchanan, 1024 James Building, Chattanooga 2, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins known as "Sealdtanks" or "Sealdbins", or other similar or equivalent containers by whatever name known, whether furnished by shipper or shippers or owned or leased by applicant, transported in or on standard motor common carrier vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Tennessee, Alabama, and Georgia, as authorized to it in Certificate MC 68078 and sub numbers thereunder. Applicant is authorized to conduct operations in the above-named States.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 239, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 68370 (Sub No. 5), filed November 13, 1959. Applicant: LARSON TRANSPORTATION COMPANY, a corporation, 775 Wazee Street, Denver, Colo. Applicant's attorney: Ernest Porter, 1531 Stout Street, P.O. Box 5482, Denver 17, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, including but not limited to Sealdtanks or Sealdbins, whether furnished by shipper or owned or leased by carrier, in or upon standard motor vehicles, and *empty containers or other such incidental facilities* used in transporting the commodities specified in this application, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Colorado, under Certificate MC 68370 and sub numbers thereunder. Applicant is authorized to conduct operations in Colorado.

**NOTE:** Applicant states it is a wholly owned subsidiary of Rio Grande Motor Way, Inc., which operates under Certificate MC 60012 and sub numbers thereunder.

**HEARING:** March 16, 1960, in Room 852 in U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 126, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 76177 (Sub No. 272), filed January 15, 1960. Applicant: BAGGETT TRANSPORTATION COMPANY, a corporation, 2 South 32d Street, Birmingham, Ala. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes,

transporting: *Liquid or dry commodities*, in collapsible or rigid tanks or bins, or the equivalent thereof, including but not limited to, sealdtanks and sealdbins, from, to, and between all points which applicant is authorized to serve in the transportation of general commodities, in Alabama, Georgia, and Tennessee, as authorized in Certificate No. MC 76177 and Sub numbers thereunder.

NOTE: Applicant also has contract carrier authority under MC 89778 and Sub Numbers thereunder. Dual authority under section 210 and Common Control may be involved.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 239, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 76564 (Sub No. 64), filed August 13, 1959. Applicant: HILL LINES, INC., 1300 Grant Street, Amarillo, Tex. Applicant's attorney: Morris G. Cobb, 1300 Grant Street, Amarillo, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over *regular and irregular routes*, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to those known as "sealdtanks" or "sealdbins", whether furnished by shipper or shippers or owned or leased by the applicant, from, to and between all points, including all intermediate and off-route points, applicant is authorized to conduct operations as authorized in Certificate No. MC 76564 and sub numbers thereunder. Applicant is authorized to conduct operations in New Mexico and Texas.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 33, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 81718 (Sub No. 6), filed January 11, 1960. Applicant: INLAND TRANSPORTATION CORPORATION, P.O. Box 429, Orange, Calif. Applicant's attorneys: William B. Adams, Pacific Building, Portland 4, Oreg. Ronald E. Poelman, 175 Linfield Drive, Menlo Park, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins including but not limited to tanks or bins known as "Sealdtanks" or "Sealdbins", whether furnished by shipper or shippers, or owned or leased by applicant, over the routes and in the territory, including all off route and intermediate points, which applicant is authorized to serve in Certificate MC 81718 and sub numbers thereunder, in the State of California.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 75, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 97369 (Sub No. 5), filed January 7, 1960. Applicant: BROOKS TRUCK LINES, INC., 112 North Salt Pond Street, Marshall, Mo. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 2, Ill. Authority

sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdtanks and Sealdbins, transported in or upon standard motor vehicles, from, to and between all points which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Missouri and Kansas. Applicant is authorized to conduct operations in Missouri and Kansas.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 36, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 106117 (Sub. No. 4), filed December 2, 1959. Applicant: RUMPF TRUCK LINE, INC., 424 South Maumee Street, Tecumseh, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to Sealdtanks and Sealdbins when transported in standard vehicles, between points over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in Certificate No. MC 106117 covering the transportation of general commodities, with certain exceptions, in Michigan and Ohio. Applicant is authorized to conduct operations in the above-specified States.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 57, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 106451 (Sub. No. 4), filed October 19, 1959. Applicant: COOK MOTOR LINES, INC., Box 1391, 700 Carroll Street, Akron 9, Ohio. Applicant's attorney: Walter E. Shaeffer, 44 East Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over *regular and irregular routes*, transporting: *Liquid and dry commodities*, in containers including but not limited to Sealdtanks, Sealdbins, Nest-a-bin and totebin containers, in or upon ordinary vehicles over the routes and territories, including all termini and all intermediate and off-route points, authorized to be served by applicant. Applicant is authorized to conduct operations in Ohio and West Virginia.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 61, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 108905 (Sub No. 19), filed October 1, 1959. Applicant: JASPER & CHICAGO MOTOR EXPRESS, INC., Indiana Highways 45 and 56, Jasper, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transport-

ing: *Liquid and dry commodities* (except Class A and B explosives), in collapsible cargo containers, including but not limited to Sealdtanks and Sealdbins, over the routes and in the territory, including all intermediate and off-route points, authorized to be served by applicant in the transportation of general commodities as authorized in Certificate No. MC 108905 and sub numbers thereunder. Applicant is authorized to conduct operations in Illinois, Indiana, and Kentucky.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 1, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 110264 (Sub No. 18), filed November 3, 1959. Applicant: ALBUQUERQUE-PHOENIX EXPRESS, INC., 504 Veranda Road NW., Albuquerque, N. Mex. Applicant's attorney: Paul F. Sullivan, Sundial House, 1821 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to those known as "sealdtanks" or "sealdbins," whether furnished by shipper or shippers or owned or leased by the applicant, from, to and between all points, including all intermediate and off-route points, applicant is authorized to serve in Certificate No. MC 110264 and Sub Numbers thereunder, in Arizona and New Mexico. Applicant is authorized to conduct operations in the above-specified States.

**HEARING:** March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 129, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 110325 (Sub No. 24), filed December 4, 1959. Applicant: TRANSCON LINES, a corporation, 1206 South Maple Avenue, Los Angeles 15, Calif. Applicant's attorney: Lee Reeder, 10th Floor, 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment: *Oilfield equipment and supplies*; and *liquid and dry commodities*, in collapsible or non-collapsible tanks or bins, or the equivalent thereof, including but not limited to, Sealdtanks and Sealdbins, and empty containers or other incidental facilities used in transporting the said commodities, between Oklahoma City, Okla., and Albuquerque, N. Mex., over U.S. Highway 66, serving no intermediate points, as an alternate route for operating convenience only in connection with regular route operations under MC 111122 (Cain's Truck Lines), leased by applicant (the expiration date of which is April 1, 1961 under No. MC-FC 31319-A). Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas,

California, Georgia, Illinois, Indiana, Kansas, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, and Texas.

NOTE: Applicant indicates that the above request to transport Liquid and dry commodities is being submitted provided the application in Docket No. MC 110325 (Sub No. 23), which seeks authority to perform such service throughout its system, has been finally approved by the Commission prior to the time the certificate is issued in this matter. Applicant states it has exercised its option to purchase the leased rights and the transaction is now awaiting the Commission's approval under Docket No. (MC-F 7284).

HEARING: March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 210, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 113639 (Sub No. 4), filed November 13, 1959. Applicant: CARBON MOTORWAY, INC., 230 West Seventh Street, Salt Lake City, Utah. Applicant's attorney: Ernest Porter, P.O. Box 5482, Denver 17, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, including but not limited to Sealdtank and Sealdbin, whether furnished by shipper or owned or leased by carrier in or upon standard motor vehicles, from, to and between all points and over the routes and in the territory which applicant is authorized to serve in the transportation of general commodities, with certain exceptions, in Certificate No. MC 113639 and sub numbers thereunder, in Colorado and Utah. Applicant is authorized to conduct operations in Colorado and Utah.

HEARING: March 16, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 213, or if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 60-784; Filed, Jan. 26, 1960; 8:47 a.m.]

[Notice 255]

**MOTOR CARRIER TRANSFER PROCEEDINGS**

JANUARY 22, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by peti-

tioners must be specified in their petitions with particularity.

No. MC-FC 62173. By order entered January 19, 1960, the Commission, Division 4, acting as an Appellate Division, approved the transfer to Robert Kirk, Route 4, Box 187, Little Rock, Arkansas, of the claimed operating rights applied for by B. C. Alston, doing business as B. C. Alston Tomato Company, 820 East 4th Street, Little Rock, Arkansas, in No. MC 117832 under the "grandfather clause" of Section 7 of the Transportation Act of 1958, to transport bananas from New Orleans, La., and Mobile, Ala., to Little Rock, Ark., and the substitution of B. C. Alston Tomato Company as applicant in lieu of Robert Kirk in proceeding No. MC 117832.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 60-781; Filed, Jan. 26, 1960; 8:47 a.m.]

[Notice 112]

**MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES**

JANUARY 22, 1960.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with service at no intermediate points have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

**MOTOR CARRIERS OF PROPERTY**

No. MC-1940 (Deviation No. 5) TRAILWAYS OF NEW ENGLAND, INC., 400 Trailways Building, 1200 I Street N.W., Washington 5, D.C., filed January 11, 1960. Attorney William A. Roberts, Roberts, & McInnis, Continental Building, 14th and K Streets N.W., Washington 5, D.C. Carrier proposes to operate as a *common carrier*, by motor vehicle, of passengers over a deviation route as follows: From the junction of Massachusetts Highway 128 and Massachusetts Highway 9, near Boston, over Massachusetts Highway 128 to junction U.S. Highway 1 near Lynnfield, Mass., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently au-

thorized to transport passengers over Massachusetts Highway 9 from the west into Boston and over U.S. Highway 1, from Boston to points north.

No. MC-2890 (Deviation No. 8) AMERICAN BUS LINES, INC., 1341 P Street, Lincoln, Nebr., filed January 11, 1960. Carrier proposes to operate as a *common carrier*, by motor vehicle, of passengers over a deviation route as follows: From the junction of Ohio Highway 440 and Interstate Highway 70, approximately 1 mile east of Brownsville, Ohio, over Interstate Highway 70 to junction Ohio Highway 440, approximately 2 miles west of Kirkersville, Ohio, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport passengers from Pittsburgh, Pa., over U.S. Highway 22 to Zanesville, Ohio, and thence over U.S. Highway 40 to Columbus, Ohio, and return over the same route.

No. MC-51255 (Deviation No. 1) HAECKL'S EXPRESS, INCORPORATED, P.O. Box 2025, Terre Haute, Ind., filed January 11, 1960. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with exceptions, over a deviation route as follows: From Omaha, Nebr., over Interstate Highway 80 to junction U.S. Highway 6, approximately 3 miles south of Gretna, Nebr., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a service route as follows: From Chicago over Alternate U.S. Highway 30 to junction unnumbered highway at a point approximately 2½ miles southeast of Emerson, Ill., thence over unnumbered highway via Emerson to junction U.S. Highway 30 at a point approximately 3 miles southwest of Emerson, thence over U.S. Highway 30 to junction Iowa Highway 131, thence over Iowa Highway 131 to junction Iowa Highway 212, thence over Iowa Highway 212 to junction U.S. Highway 30, thence over U.S. Highway 30 to Missouri Valley, Iowa, thence over U.S. Highway 75 to Council Bluffs, Iowa, thence over city streets to Omaha, Nebr., thence over Nebraska Highway 38 to junction Nebraska Highway 50, thence over Nebraska Highway 50 to Millard, Nebr., thence over Nebraska Highway 31 to junction U.S. Highway 6, thence over U.S. Highway 6 to Lincoln, Nebr., and return over the same route.

No. MC-61471 (Deviation No. 2) BEE-MAC TRANSPORT CO., INC., 7400 North Broadway, St. Louis 15, Mo., filed January 14, 1960. Attorney Charles M. M. Shepherd, 101 South Meramec Avenue, Clayton 5, Mo. Carrier proposes to operate as a *common carrier*, by motor vehicle of *general commodities*, with certain exceptions, over a deviation route as follows: From El Reno, Okla., over U.S. Highway 66 to Oklahoma City, Okla., and the southern terminus of the Turner Turnpike and U.S. Highway 44, thence over the Turner Turnpike and U.S. Highway 44 to junction of the Will Rogers Turnpike, and thence over the

Will Rogers Turnpike and U.S. Highway 44, to Vinita, Oklahoma and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between El Reno and Vinita as follows: From El Reno over U.S. Highway 81 to Enid, Okla., thence over U.S. Highway 60 to Pawhuska, Okla., thence over Oklahoma Highway 11 to Barnsdall, Okla., thence over Oklahoma Highway 23, to Bartlesville, Okla., thence over U.S. Highway 60 to Vinita, and return over the same route.

No. MC 78643 (Deviation No. 2) HART MOTOR EXPRESS, INC., 2417 North Cleveland Street, St. Paul 13, Minn., filed January 14, 1960. Attorney, Donald A. Morken, First National Soo Line Building, Minneapolis, 2, Minn. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviations routes as follows: (1) From Minneapolis, Minn., over Minnesota Highway 55 to Hastings, Minn., thence over U.S. Highway 61 to La Crosse, Wis., thence over U.S. Highway 16 to Tomah, Wis.; (2) from Hudson, Wis., over Interstate Highway 94 to Eau Claire, Wis.; (3) from Mauston, Wis., over Wisconsin Highway 82 to junction Wisconsin Highway 13, thence over Wisconsin Highway 13 to Wisconsin Dells, Wis.; (4) from Wisconsin Dells, over U.S. Highway 16 to Portage, Wis., thence over Wisconsin Highway 51 to Monona, Wis.; and (5) from Monona, over Wisconsin Highway 51 to the Wisconsin-Illinois State line and junction of U.S. Highway 90, thence over U.S. Highway 90 to Chicago, Ill., and return over the same routes. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent authorized service routes as follows: From Minneapolis, over U.S. Highway 12 to Tomah, Wis.; from Hudson over U.S. Highway 12 to Eau Claire; from Mauston, Wis., over U.S. Highways 12 and 16 (Combined) to Wisconsin Dells; From Wis-

consin Dells over U.S. Highway 12 to Monona; and from Monona over U.S. Highway 12 to junction Wisconsin Highway 89, thence over Wisconsin Highway 89 to junction U.S. Highway 14, thence over U.S. Highway 14, to junction Illinois Highway 23, thence over Illinois Highway 23 to junction U.S. Highway 20, thence over U.S. Highway 20 to Chicago, Ill., and return over the same routes.

No. MC-109538 (Deviation No. 1) CHIPPEWA MOTOR FREIGHT, INC., 2645 Harlem Street, Eau Claire, Wis., filed January 11, 1960. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Hudson, Wis., over Interstate Highway 94 to Eau Claire and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Hudson and Eau Claire over U.S. Highway 12.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 60-782; Filed, Jan. 26, 1960;  
8:47 a.m.]

[MC-C-2741]

### TRIANGLE BAG CO.

#### Petition

JANUARY 22, 1960.

Petitioner: TRIANGLE BAG COMPANY, an Arkansas corporation, 1301 Madison Avenue, Covington, Ky. Petitioner's attorneys: Dolle, O'Donnell, Cash, Fee & Hahn, Suite 3715 Carew Tower, Cincinnati 2, Ohio. By petition dated December 3, 1959, petitioner advises that the Triangle Bag Company, an Arkansas corporation, is engaged in the manufacture of paper bags, and owns and operates a number of tractor

trailer units to transport its finished products. Also, that Triangle Distributing Company, an Ohio corporation, unrelated to the petitioner, is engaged in the wholesale distribution of flooring materials at Cincinnati, Ohio, and owns and operates a tractor-trailer unit for the hauling of merchandise from its sources of supply on the Eastern Coast of the United States to Cincinnati, Ohio. Petitioner prays that the Commission enter a ruling exempting the petitioner in an implementation of a reciprocal trucking arrangement between the two companies from the requirements of sections 206 and 209 of Part II of the Interstate Commerce Act.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 60-785; Filed, Jan. 26, 1960;  
8:48 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket 8444]

### LAKE CENTRAL AIRLINES, INC.

#### Temporary Mail Rates; Notice of Hearing

In the matter of the temporary rates to be paid to Lake Central Airlines, Inc., for the transportation of mail.

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, that the hearing in the above-entitled proceeding will be held February 5, 1960, at 10:00 a.m., e.s.t., in Room 513, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Herbert K. Bryan.

Dated at Washington, D.C., January 21, 1960.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner.

[F.R. Doc. 60-808; Filed, Jan. 26, 1960;  
8:53 a.m.]

CUMULATIVE CODIFICATION GUIDE—JANUARY

A numerical list of parts of the Code of Federal Regulations affected by documents published to date during January. Proposed rules, as opposed to final actions, are identified as such.

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